

ard, Charles Hancock, John Sherry, Clark Hood, Herbert Poole, Ernest Poole, George Butterworth, John Kay, Alfred Spencer, Richard Calvert, Thomas Turner, Howard Perry, Elwin Thayer, Ernest Weller, and George Thomas, of Providence, all in the State of Rhode Island, favoring prohibition; to the Committee on the Judiciary.

Also, petitions of 518 citizens of Rhode Island, assembled in Mathewson Street Methodist Church, R. H. Hollington, chairman, H. A. Fifield, secretary; Neighborhood of Auxiliaries to the Woman's Home Missionary Association of Massachusetts and Rhode Island, Mrs. Herman S. Rich, secretary; St. Luke's Church, East Greenwich, R. I., I. P. Conover, pastor; Fourth Baptist Church Sunday School, Henry C. Finley, superintendent, Providence, R. I.; Clarks Mills Woman's Christian Temperance Union, of Shannock, R. I., Laura E. Waterman, secretary; Woman's Christian Temperance Union, Providence, R. I.; Raymond I. Blanchard and 64 other citizens of Rhode Island; and Litchfield Manufacturing Co., H. L. Litchfield, president, Waterloo, Iowa; also resolutions adopted by the board of directors of the Anti-Saloon League of America in regular session December 13, 1917; and national legislative committee Anti-Saloon League of America, James Cannon, jr., chairman, favoring prohibition; to the Committee on the Judiciary.

Also, telegrams from directors of the New England Hotel Association, meeting held at Northampton, Mass., December 15, William M. Kimball, secretary, and Providence (R. I.) Bartenders' Local Union 285, William J. Guest, business agent; letters from Paul Castiglioni, Providence, R. I., and Joseph DeAugety and three other citizens of Rhode Island; and resolutions of the Grand Lodge Rhode Island Retail Liquor Dealers' Association, John H. Holland, chairman, opposing prohibition; to the Committee on the Judiciary.

Also, telegrams from the bottlers' union, P. J. McQuillan, and brewery workers' unions, numbering 114, Fred H. Bartels, secretary, both of Providence; also letters from Labor's Emergency Liberty League, Joseph Dehan, secretary, the Brewery Workers' Union in convention, representing 60,000; Malsters' Bureau of Statistics, representing the malting industry of the United States, Phil O. Gran, general counsel, Chicago, Ill.; and the Manufacturers and Dealers' League of the City and State of New York, W. H. Brady, chairman legislative committee, representing 1,200 firms, corporations, and individuals owning properties valued in the millions and employing hundreds of thousands of people, opposing prohibition; to the Committee on the Judiciary.

By Mr. TILSON: Petitions of Thomas H. Sullivan and 300 others of New Haven, Conn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Olof Lungren and 10 other ministers of the churches of Meriden, Conn., favoring submitting prohibition amendment to the various States; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Resolutions of the State officers of Colorado, protesting against the provisions of the revenue law exempting State and Federal officers from the law; to the Committee on Ways and Means.

By Mr. WARD: Petition signed by I. N. Steelman and other citizens of Breakabeen, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by Mrs. Dora M. Avery, M. H. Atwater, and other residents of Greenville, N. Y., in favor of national prohibition amendment; to the Committee on the Judiciary.

Also, petition signed by C. B. Hubbell and other residents of Jefferson, Schoharie County, N. Y., in favor of passage of prohibition amendment; to the Committee on the Judiciary.

Also, petition by Frances E. Hoornebeck and other members of Woman's Missionary Society of Reformed Church, of Ellenville, N. Y., favoring passage of prohibition amendment; to the Committee on the Judiciary.

Also, petition of members of Woman's Foreign Missionary Society of Methodist Episcopal Church of Ellenville, N. Y., in favor of passage of prohibition amendment; to the Committee on the Judiciary.

Also, petition of Joseph E. Appley and other citizens of Ellenville, N. Y., urging enactment of prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. F. M. Sawyer and other residents of Chatham Center, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by Rev. Peter De Meester and citizens of Ghent, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. P. C. Weyant and other citizens of Kingston, N. Y., favoring prohibition measures; to the Committee on the Judiciary.

Also, petition signed by Julia Lasher and other citizens of Germantown, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. Charles G. Ellis and other members of Rondout Presbyterian Church of Kingston, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by citizens of Howes Cave, Schoharie County, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by G. Righterzelf and other citizens of Kingston, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Mr. Egbert V. Bogardus and other citizens of Leeds, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. Sidney Aldrich and other citizens of Grapeville, N. Y., favoring prohibition; to the Committee on the Judiciary.

Also, petition signed by citizens of Stone Ridge, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by citizens of Livingston Manor and Roscoe, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition of J. A. Hurn and other citizens of Livingston Manor, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by citizens of Catskill and Leeds, N. Y., opposing prohibition measures; to the Committee on the Judiciary.

Also, petition signed by 215 citizens of Marlboro, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by citizens of North Chatham, N. Y., favoring enactment of prohibition legislation; to the Committee on the Judiciary.

By Mr. WOOD of Indiana: Petition of 403 citizens of Porter County, Ind., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, December 18, 1917.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in Thy providence Thou hast brought us to the season of the year when we look back once more to the Babe of Bethlehem, the Boy of Nazareth, the Man of Galilee, the great outstanding figure of all history, the touchstone of all truth. His word has the inherent power of absolute and final truth and His character is the inspiration of all good men. We pray that as we approach the season when Christian civilization will celebrate His coming into the world that our hearts may turn toward Him, that His Word may break the heart of the world, that His hand may be laid upon the feverish brow of the world, and that His example may even now lift the world to a higher and diviner plane of life. We pray Thee to sanctify the season which is just ahead of us to the establishment of the freedom of all men and the peace of the world. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ENLISTED MEN AND COMMISSIONED OFFICERS (S. DOC. NO. 154).

THE VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War in response to a resolution of the Senate, which will be printed and also ordered printed in the RECORD.

The communication is as follows:

WAR DEPARTMENT,
Washington, December 18, 1917.

TO THE PRESIDENT UNITED STATES SENATE:

SIR: I have the honor to acknowledge receipt of a resolution in the Senate of the United States, under date of December 11, 1917, directing me to inform the United States Senate "what, if any, rules or regulations there are of the War Department which prevent officers from having intercourse with privates and mingling with them in social intercourse, or which tend to caste distinction between enlisted men and commissioned officers when they are off duty." In response thereto I submit for the information of the Senate of the United States the following paragraph of Army Regulations in regard to the relationship between officers and enlisted men as the only rule or regulation now existing relative to this matter:

"Superiors are forbidden to injure those under their authority by tyrannical or capricious conduct or by abusive language. While maintaining discipline and the thorough and prompt performance of military

duty, all officers, in dealing with enlisted men, will bear in mind the absolute necessity of so treating them as to preserve their self-respect. Officers will keep in as close touch as possible with the men under their command, will strive to build up such relations of confidence and sympathy as will insure the free approach of their men to them for counsel and assistance. This relationship may be gained and maintained without relaxation on the bonds of discipline and with great benefit to the service as a whole.

In this paragraph will be seen an endeavor to arrive at a true balance in the proper relationship between officers and enlisted men; on the one hand, to encourage an exchange of confidence and cooperation between the officer and the soldier, and, on the other, to avoid personal intimacies between an officer and any particular soldier or soldiers, which might have a tendency to lead to favoritism or the suspicion of favoritism in assignments for duties, or cause discontent on the part of those not selected for special intimacy by the officer in question. All officers are expected to so exercise their judgment under this regulation as at all times to enjoy the sympathy, confidence, and respect of the soldiers, and it has always been a part of the instructions given young officers by their superiors to exert themselves to promote this relationship.

Distinctions of rank in the Army are solely in the interest of military discipline. They imply no social distinction; indeed, in a country like ours the advantage of education and culture will very frequently be found in favor of the soldier; and yet it is necessary that the soldier should acquire by continuous and unvarying practice the habit of instant obedience to his superior. This is as true of officers as it is of men. In the emergency of battle, when every condition tends to distract men's attention and peril is on every side, safety for a command frequently lies only in its organized and coordinated activity, and this can proceed from one inspiration alone—the instant, unquestioning compliance by all with the voice of authority. There is no time to debate, no opportunity to consider; the men must have acquired their rule of action—attention and obedience to command. This habit can not be created in emergencies and forgotten under other circumstances, but must result from practice which tolerates no exceptions either of persons or occasions. The relationship between officers and men, therefore, must be so arranged as to lead to this indispensable result; but this is entirely consistent with respect, sympathy, and mutual consideration, and the best officers are those who have most completely won the affection of their men. Military annals are filled with splendid stories of men imperiling their lives outside of the necessities of military action in order to save the life of a beloved captain.

The War Department, therefore, has endeavored and is endeavoring by every means within its power to impress upon officers the military value of this cordial relationship—to have them understand that as is the officer so is the command; that their spirit and their actions constitute the example upon which the spirited actions of the men are molded. While here and there instances undoubtedly occur of thoughtless and inconsiderate conduct on the part of officers and of unreasoning complaint on the part of the men who have failed to understand the just obligations of this disciplinary relationship, I am still persuaded that in the great Army we now have in the field and in training there is a growing realization that it is both possible and useful to be faithful to military discipline and at the same time to the democratic ideals of our country.

Very respectfully, yours,

NEWTON D. BAKER,
Secretary of War.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 114) extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918, and it was thereupon signed by the Vice President.

NATIONAL PROHIBITION.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, which were, on page 1, line 9, to strike out "the" and insert "after one year from the ratification of this article the"; on page 1, to strike out lines 14 and 15 and lines 1, 2, and 3 on page 2, and insert:

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

And, on page 2, to strike out lines 4 and 5 and insert:

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Mr. SHEPPARD rose.

Mr. GALLINGER. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Dillingham	Gallinger
Beckham	Colt	Fernald	Gerry
Borah	Culberson	Fletcher	Gronna
Brandegee	Cummins	France	Hale
Calder	Curtis	Frelinghuysen	Harding

Hardwick	McCumber	Pomerene	Sterling
Hitchcock	McKellar	Robinson	Stone
Hollis	McLean	Saulsbury	Sutherland
James	McNary	Shafroth	Swanson
Johnson, Cal.	Martin	Sheppard	Thompson
Johnson, S. Dak.	Myers	Sherman	Townsend
Jones, Wash.	Nelson	Shields	Vardaman
Kellogg	New	Simmons	Wadsworth
Kendrick	Newlands	Smith, Ariz.	Weeks
King	Norris	Smith, Ga.	Williams
Knox	Overman	Smith, Md.	
La Follette	Penrose	Smith, Mich.	
Lewis	Pittman	Smoot	

Mr. FRELINGHUYSEN. I wish to announce the absence of my colleague [Mr. HUGHES] on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. VARDAMAN. I wish to announce the absence of the junior Senator from Missouri [Mr. REED], the Senator from New Mexico [Mr. JONES], the Senator from Iowa [Mr. KENYON], and the Senator from Massachusetts [Mr. LODGE] on official business upon the Committee on Manufactures.

Mr. MYERS. My colleague [Mr. WALSH] is detained from the Senate on account of illness.

Mr. SAULSBURY. I wish to announce that my colleague [Mr. WOLCOTT] is absent on account of illness.

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present.

Mr. SHEPPARD. I move that the Senate concur in the amendments of the House of Representatives to Senate joint resolution No. 17.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas.

Mr. BORAH. Mr. President, a parliamentary inquiry. Do these amendments require a two-thirds vote?

The VICE PRESIDENT. That is the opinion of the Chair. It is the view of the Chair that an amendment to a resolution proposing an amendment to the Constitution of the United States needs only a majority in order to be adopted; but the resolution having once been adopted by the Senate and gone to the House and returned here for the final action of the Senate, it is necessary to have a two-thirds vote on the amendments of the House, for this constitutes the final passage of the resolution.

Mr. BORAH. Mr. President, I want to say a word before the matter is disposed of.

I regret exceedingly, Mr. President, that this amendment has taken the form which it has. There are two clauses in the amendment which, to my mind, are irreconcilable with any idea of constitutional action or action in harmony with the Constitution. In the first place, the amendment as it is proposed to the Constitution as an amendment has in it the words "after one year from the ratification of this article," so that it will read:

That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution after one year from the ratification of this article—

And so forth.

It is just as plain as the path to the country schoolhouse that that is either wholly and absolutely surplusage and has no business here or else it will prevent any real submission of the question to the States. It can do no good and may do much harm.

The Constitution of the United States provides in unmistakable language when a provision of the Constitution shall go into effect, and it is not within the power of the Congress, by incorporating a different provision in a proposed amendment to change the law of the land. I can not understand, Mr. President, why such a clause should be inserted in an amendment so vital and important as this. It is manifestly out of harmony with the Constitution. I do not assume to say what its effect will be, but it might endanger the whole proceedings.

Secondly, it provides that "this article shall be inoperative"—and I want to call the attention of the Senate to the word "inoperative"—"unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within six years." That has been changed to seven years.

We have no power by this method to limit the time within which this amendment shall be ratified. That matter was discussed before. I shall not discuss it again. After a fuller investigation and a more thorough study of the matter I am more thoroughly convinced that we have no such power. The act which we shall here perform will either result in a submission

to the States or it will be held to be no submission at all. If it ever goes to the States and they actually acquire jurisdiction of it, they can ratify it at any time they see fit, and when a sufficient number shall have ratified it, it becomes a part of the Constitution. If it is a submission at all, then a ratification will be constitutional, though the requisite number of States should not vote for it for 10 years, or later.

We can not limit the time. For instance, to give an illustration we will assume that this is submitted, that the States acquire jurisdiction of the subject and proceed to ratify, and at the end of seven years 35 States have ratified it. At the beginning of the eighth year the thirty-sixth State ratifies it. Will anyone contend for a moment that it is not a part of the Constitution of the United States if it is a submission at all? The Constitution itself, which is unchanged, says that an amendment may be ratified by the States and places no limit upon the time within which to ratify it.

The thing which I most fear, Mr. President, however, is that it would be held not to have been a submission to the States at all. What I most fear is that it being a submission in a manner not provided for in the Constitution it is no submission at all.

The Committee on the Judiciary has reported upon this matter since we acted upon the pending joint resolution. The able Senator from Connecticut [Mr. BRANDEGEE] has proposed an amendment to the Constitution providing a limit of time within which constitutional amendments shall be ratified. If the Congress can by each amendment fix the limit of time, there is no occasion for the Senator from Connecticut to offer such an amendment to the Constitution of the United States. In other words, when the woman-suffrage amendment comes along we can put in a limit of 4 years or we can put in a limit of 10 years; when some other amendment comes along we can put in a limit of 1 year or 3 years, and it will be a matter wholly within the control of Congress by the act of submission, whereas the Constitution itself places no limit upon it at all, and that is a vital, substantial, elemental provision of the Constitution.

Mr. President, if I have an opportunity, I shall vote against these amendments, because I think they are dangerous in their import. While I am in favor of the amendment, I am opposed to these changes. I think they should by no means be here. I do not think the friends of the measure should thus endanger the whole proceedings.

Mr. LEWIS. Before the Senator sits down may I ask the Senator, to test his position, suppose Congress should reverse the matter and put in a provision that this adoption shall not take effect for 20 years instead of saying within the time it should do so, that it actually said it shall not take effect for 20 years, does the Senator assume that that would be legal?

Mr. BORAH. I do not.

Mr. LEWIS. Then if it could provide in what time it should go into effect, could it not also provide what time it should not go into effect?

Mr. BORAH. If I caught the question, I say yes.

Mr. LEWIS. I was very much interested in the Senator's position. If Congress has the right to put a time limit as to when this amendment shall go into effect it would equally have the right to put a limit when it should not go into effect.

Mr. BORAH. I think so.

Mr. LEWIS. Then if the Senator's argument is well taken, would not the final effect be that if Congress could put a limit as to when it should go into effect it could equally put one in when it should not go into effect?

Mr. BORAH. I think so.

Mr. LEWIS. Therefore, if we could say it should not go into effect for 20 years, could we not also say when it could not go into effect? Not for 20 years, and would not that practically work an absolute obviation of the effect of the amendment by putting a limit of time at such a distance as to make it impossible to reach the object we might have in view?

Mr. BORAH. If I understand the Senator, I am in harmony with the view he expresses.

Mr. LEWIS. Would that be the operation according to the Senator's contention?

Mr. BORAH. That is my opinion.

Mr. BRANDEGEE. Will the Senator, before he takes his seat, let me ask him a question?

Referring to the amendment which the Senator from Idaho [Mr. BORAH] has been discussing, I did not hear the first part of his remarks, and therefore he may have answered the question I am about to ask, but I will ask it again. The amendment reads as follows:

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Does the Senator think that that amendment attached to the proposed constitutional amendment makes the entire submission void, or does he think that it would only be regarded as surplusage if Congress had no authority to put it on?

Mr. BORAH. Mr. President, I am not prepared to say I have not reached a conclusion as to what would be the effect of that amendment. Of course, one of two things must necessarily follow; either it will be held surplusage, and, therefore, not effective at all, or the court would hold that Congress, not having submitted it in accordance with the provisions of the Constitution, it would be no submission at all. If I felt perfectly clear that it would be held surplusage, I should not be uneasy about the situation; but when the Constitution of the United States provides the manner in which an amendment shall be submitted, prescribes how it shall go to the States, and under what terms and conditions, I do not see how it can be submitted at all except in accordance with those terms and conditions. That is what I have great fear of—that it will be held not to have been a submission at all.

Mr. BRANDEGEE. Let me ask the Senator a further question. The amendatory section provides that the proposed amendment in its entirety shall, unless it is all accepted within seven years, become inoperative. If Congress has no authority to put that on, the further question might arise as to whether or not the whole submission process is still in operation. Then, even if three-fourths of the States did ratify it, we would still have a lawsuit carried to the Supreme Court to find whether it has been adopted or not. In other words, the minute it becomes inoperative, if this is a valid amendment at all, so as to work, then it is withdrawn from further submission to the States or from further action by the States.

Mr. BORAH. Of course, Mr. President, these changes were not inserted without a purpose and I fear the purpose was not one friendly to the cause.

To recapitulate the Constitution of the United States as it now stands provides that a proposed amendment to the Constitution shall become a part of the Constitution "when ratified by the legislature of three-fourths of the several States." "When;" that is, as soon after submission as three-fourths of the States ratify, it shall become a part of the Constitution. Now, this provision of ours which we are submitting says that it shall not become a part of the Constitution when ratified by three-fourths of the States, but not until one year thereafter. That is in direct conflict with the express language of article V of the Constitution. Then, again, the Constitution of the United States as it now stands provides "when ratified by the legislature of three-fourths of the several States," placing no limit upon the time. Is there any doubt but what if this proposed amendment were submitted to the States they would have a right to ratify it within 10 years or at any other time? Can it be contended for a moment that we can amend the Constitution by putting into a proposed amendment a different rule of ratification as to time than that which is now in the Constitution, and which will be in the Constitution and a part of the Constitution after this amendment is voted upon by three-fourths of the States? This is not a proposition to amend the Constitution providing a different time within which to ratify. This is simply a proposition to provide a different time in this particular submission than that which obtains in the general provision of the Constitution. We ignore the clear, unmistakable terms of the Constitution in this submission, both as to the time when the constitutional provision will begin to have effect and as to the time within which the States must ratify. Now, other friends of this amendment seem willing to take the chance. I am not. I shall therefore vote against these proposed changes. I want this amendment to go to the States in a way that when a sufficient number shall have ratified it there will be no doubt of its being a part of the Constitution.

Mr. SHEPPARD. Mr. President, as the Senator from Idaho [Mr. BORAH] stated, this phase of the amendment was discussed and passed on when the amendment was before the Senate on a former occasion. It was the judgment of the Senate that there was no question as to the power of Congress to submit the amendment in this form, and I ask for a vote.

The VICE PRESIDENT. Those in favor of concurring in the amendments will rise. That is the only way the Chair can determine the question. [A pause.] Those opposed will rise. [A pause.] The vote is 47 ayes and 8 noes. The amendments are concurred in and the joint resolution is adopted.

Mr. ROBINSON. I desire to announce that the junior Senator from Arkansas [Mr. KIRBY] is absent on account of illness in his family. If he had been present on the vote in relation to the adoption of the amendments proposed by the House of Representatives to the joint resolution relating to national prohibition, he would have voted "yea."

HOLIDAY RECESS.

Mr. BORAH. Mr. President, before I make the motion which I desire to submit I wish to ask the senior Senator from Nevada [Mr. NEWLANDS], who is chairman of the Committee on Interstate Commerce, if he can make a suggestion as to the situation in reference to railroad legislation, as to whether or not there will be any occasion for Congress to be in session the next few days in order to deal with that situation?

Mr. NEWLANDS. Mr. President, I will state that I have deferred calling the Committee on Interstate Commerce of the Senate together regarding the recommendation of the Interstate Commerce Commission that the railroads of the country should be unified in the expectation that the President would shortly send to Congress a message on the subject, and that thus our eyes would be focussed upon a specific proposition. I know that the President has this matter under serious consideration and that he is giving a great deal of time to it. I had expected that a recommendation would come in before the recess for the holidays. I have thus far delayed calling the committee together for the reasons which I have stated; but I feel that this is a matter of so much importance and that it is so important that the committee should inform itself regarding the situation, with a view to considering the President's recommendations when they come in, that it is my intention at an early day to call the committee together, even if the presidential message does not come in.

Mr. BORAH. Well, Mr. President, if we take a recess it will be impossible for the President's message to come in.

Mr. NEWLANDS. Yes.

Mr. BORAH. We would, therefore, take the responsibility upon ourselves of delaying this matter for two weeks.

Mr. NEWLANDS. I will state that the Senator from Iowa to-day consulted me with reference to a resolution which he proposed to introduce calling upon the Interstate Commerce Committee to investigate the matters called to the attention of Congress by the Interstate Commerce Commission, and I told him that I would have no objection to the immediate consideration of such a resolution. I do not know whether I can call the committee together during the holidays, but if the resolution is adopted, I shall make an effort to do so.

Mr. BORAH. Mr. President, I desire to move the recall of the concurrent resolution which was passed by the Senate on yesterday and sent to the other House providing for a recess beginning to-day. I understand the resolution having gone to the other House, a motion to recall it is necessary before we can reconsider it.

The VICE PRESIDENT. According to the rule a motion to reconsider must be accompanied by a request to the House of Representatives to return the resolution.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. GALLINGER. I thought the Senator from Idaho had concluded.

Mr. BORAH. I yield to the Senator.

Mr. GALLINGER. Mr. President, the chances are ten to one that there is not a quorum of the House of Representatives in the city at this moment, and it seems to me that it is absolutely useless for us to undertake to reconsider the concurrent resolution which was passed by both Houses on yesterday. I will ask the Senator from Nevada [Mr. NEWLANDS] if he has any expectation or any reason to believe that if we should remain in session the President would send a message to Congress during the next two weeks? In other words, is it not almost certain that he will not do so; that he is going to take this matter under consideration and take that length of time to consider it?

Mr. NEWLANDS. Mr. President, I will state that when I last saw the President, some days ago, it was his expectation to send a message to Congress upon the subject at an early day; but I have reason to know that he is very laboriously at work on the investigation of this subject; he is not prepared to make his recommendations now, and I do not know when he will be ready. I assume, however, it will take some days for him to frame his recommendations.

Mr. GALLINGER. The papers all say that he is not intending to do so during the recess, and I will ask the Senator if it is not more than probable that if the President were adverse to Congress taking a recess, he would have conveyed that information to the Senator from Nevada?

Mr. NEWLANDS. I think so.

Mr. GALLINGER. I think so, too.

Mr. BORAH. That is very interesting.

Mr. ROBINSON. I want to suggest to the Senator from Idaho, with his permission—

Mr. NEWLANDS. I think the President would have communicated to me his views if he thought it was important that there should be an immediate consideration of this subject by Congress during the holidays.

Mr. BORAH. Then, as I understand, we are leaving by permission?

Mr. ROBINSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON. I desire to suggest to the Senator from Idaho, in connection with his remark, that he desires to have the resolution returned from the House of Representatives, that in all probability a difficulty would arise in that respect, for my information is that there is probably not a quorum of that body in the city. I have just had some information to that effect.

Mr. BORAH. There was a full quorum here last evening at 5 o'clock, and I suspect it is still here. I move a reconsideration of the concurrent resolution providing for the holiday recess and its recall from the House; and upon that I ask for the yeas and nays.

The VICE PRESIDENT. The Senator from Idaho moves that the vote whereby the concurrent resolution providing for a recess for the Christmas holidays was agreed to shall be reconsidered; and he moves, in connection therewith, that the House be requested to return the resolution to the Senate. Upon the latter question the yeas and nays have been requested and seconded. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH], and therefore withhold my vote. If permitted to vote, I should vote "yea."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from New Jersey [Mr. HUGHES] and vote "yea."

The roll call was concluded.

Mr. HARDING. I transfer my general pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the Senator from Washington [Mr. POINDEXTER] and vote "yea."

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness. He has a general pair with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent on account of illness. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

Mr. WATSON. I withhold my vote because of the absence of my general pair, the junior Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 32, nays 43, as follows:

YEAS—32.

Bankhead	Frelinghuysen	Jones, Wash.	Sherman
Borah	Gronna	Kellogg	Smith, Mich.
Brandeggee	Hale	Kendrick	Sutherland
Chamberlain	Harding	Kenyon	Townsend
Culberson	Hardwick	La Follette	Vardaman
Cummins	Hollis	McLean	Wadsworth
Curtis	Johnson, Cal.	McNary	Weeks
France	Jones, N. Mex.	Norris	Williams

NAYS—43.

Ashurst	Johnson, S. Dak.	Newlands	Shields
Beckham	King	Overman	Simmons
Calder	Knox	Penrose	Smith, Ariz.
Colt	Lewis	Pittman	Smith, Ga.
Dillingham	Lodge	Pomerene	Smith, Md.
Fernald	McCumber	Ransdell	Smoot
Fletcher	McKellar	Reed	Stone
Gallinger	Martin	Robinson	Swanson
Gerry	Myers	Saulsbury	Thompson
Hitchcock	Nelson	Shafer	Trammell
James	New	Sheppard	

NOT VOTING—20.

Brady	Hughes	Pointexter	Underwood
Broussard	Kirby	Smith, S. C.	Walsh
Fall	Owen	Sterling	Warren
Goff	Page	Thomas	Watson
Gore	Phelan	Tillman	Wolcott

The VICE PRESIDENT. The motion to request the House to return the concurrent resolution is lost. This is a final disposition of the motion to reconsider.

INVESTIGATION OF THE SHIPPING BOARD.

Mr. HARDING. Mr. President, I do not know whether it is in order or not; but I have a suggestion in my mind which I can not forbear making to the Senate, and I wish particularly to address the chairman of the Committee on Commerce [Mr. FLETCHER].

If I were not a member of the minority, and thereby subject to the possible suspicion that some partisan motive might be involved, I would put my suggestion in the form of a resolution. I do not believe that this Congress ought to take its holiday recess without making provision for an investigation of the affairs of the Federal Shipping Board. I am not yielding to the current tendency to enter into investigations of all sorts, but I am deeply impressed by the failure of the Shipping Board in this great emergency of the Nation.

We have liberally appropriated not only millions but billions for the furthering of the construction of merchant ships. Since early last year we have witnessed the passing from the service of the board of Gen. Goethals, that great constructor, who built the Panama Canal. We have witnessed the passing of Mr. Denman, who for a long time was the dominant figure on the Shipping Board; and the press this morning records the retirement of Rear Admiral Harris, who was supposed to bring to the shipping corporation not only his talent for construction but his eminence as a leader in pressing things to a conclusion; and if the newspaper reports be well founded, our shipping program for the merchant marine is in a very discouraging way.

Mr. GALLINGER. Mr. President, the Senator will recall that Admiral Capps has likewise come and gone.

Mr. HARDING. There have been so many changes, Mr. President, that it is not within my ordinary memory to recall them all. But in all seriousness, Senators, the shipping situation is a most discouraging one, if the press correctly reports it. It is of but little use for the Nation to provide an Army that it can not transport and at the same time sustain. I talked very recently to a great captain of industry, who has under way a line of construction for the Navy, and he made the startling statement that his plant was constructing for the United States Navy more destroyers than there are in the world to-day. If that be true, under the leadership of a department and an individual constructing concern which has capacity to build more destroyers than there are in the world to-day, certainly a capable and efficient shipping board could bring to the service of the Nation in this crisis a merchant marine somewhere comparable to our present needs.

I do not care to introduce this resolution of investigation and be subjected to the intimation that it is a partisan interference or suggestion; but I tell you, Senators, the winning of the war depends upon our strength on the seas. We must have this merchant marine if we are to hope to succeed; and I think it is a crime that the money placed in the hands of the Shipping Board should have been so illy handled that there should have been an entanglement of red tape and inefficiency of a character to delay the great American shipbuilding program.

I can believe it will add materially to the confidence and the morale and the hopes of the American people to have some assurance that efficiency and determination are back of this organization. I do not pretend to know what the difficulty is. Judging from the press, it is a conflict of authority and an interminable tangle of red tape. I have a notion that perhaps it is something more than that. I believe, Mr. President, and particularly Mr. Chairman of the Commerce Committee, that the Senate can render the country no greater service just now than to make a determined investigation into the failure of this great branch of the Government in this time of war emergency.

I should like such an investigation to be ordered before the Senate takes its holiday recess.

Mr. FLETCHER. Mr. President, I realize fully the importance of the matter to which the Senator from Ohio has referred. I feel most keenly the need of an American merchant marine. The Senator undoubtedly will recall that this is no new attitude, so far as I am concerned; that away back in 1913 I exhausted every possible effort to take steps that would lead to the upbuilding of our merchant shipping. At one time the Senate was in session continuously for 56 hours considering a bill along the lines of the present shipping bill. It was defeated in 1915, and then subsequently we passed the present law; and I can not understand that there is any need of conflict of authority under that law. It seems to me that, under the law, the Shipping Board is supreme and has the power to go on with this

work. I do not understand that the Emergency Fleet Corporation is independent of the Shipping Board or that there need be the slightest conflict there, because the supreme power is the Shipping Board, and it ought to control the Emergency Fleet Corporation and its officers, its executives, and its operating forces. I can not think there is any need of any urgent new legislation upon the subject. It seems to me that under the present law all the necessary power is granted; and we certainly have been generous in appropriating all the money that was asked, as the Senator has suggested.

Whether or not there are difficulties with which we are not acquainted, I can not say. I presume undoubtedly there are difficulties; but we can not overcome difficulties without putting in some extraordinary efforts.

We can not do the difficult thing without overcoming difficulties, and it seems to me there is no reason why better progress should not have been made in the administration of that act. At the same time I am not prepared to say that everything has not been done that could have been done because of the complications and because we did not pass this legislation before we did pass it. We ought to have passed it before. When we did pass it and before the board was organized these war conditions arose, and since then there have been various complications. There are national and international questions involved. There are, for instance, something over 100 Dutch ships lying idle in the harbors of the United States. I do not know why we can not make some arrangement to utilize those ships, but it is not being done. I take it that there are, as I say, international questions which we can not very well go into here and with which we are not fully acquainted.

I do not believe, however, if the Senator will allow me further, that the fact that this official drops out and is succeeded by another, and another drops out and is succeeded by still another will prevent the completion of the ships under contract. My information is that over 6,000,000 tons are under contract, and I do not see why that work can not go on irrespective of who is president of the Emergency Fleet Corporation, or superintendent of this, or superintendent of that. That work, I undertake to say, is going on. I think ships are being launched on the Pacific coast that have been contracted for by this board; ships are being launched on the Atlantic coast, and the work is proceeding. Whether it could be done faster or not will depend upon the detail of circumstances, which, of course, I am not qualified to pass upon.

Mr. CHAMBERLAIN. Mr. President, will the Senator permit me to interrupt him a moment?

Mr. FLETCHER. Certainly.

Mr. CHAMBERLAIN. The Senator from Florida speaks about the shipyards on the Pacific coast. Our people have been begging to build wooden ships out there. Men are idle; labor can be procured to construct wooden ships; but for some reason they are not permitting contracts to be made, and where they are made there are usually handicaps placed upon the contracts that forbid men from going into it.

For instance, I will state what I mean by that. Here is a wooden-ship yard that wants to build for private account for some individual who is going to risk his money and to ply the ship between the Atlantic seaboard and the allies. They do not ask the Government to build the ship; the individual is willing to do it himself; but they say, "If we give you a permit to build for private account, we will put in it a clause that reserves to the Government the right to commandeer the machinery." In other words, when the ship is floated and is ready to be paid for and to go on the water, the right is reserved to commandeer the machinery, so that the ship is absolutely useless. Now, private capital does not want to build under those circumstances.

Mr. WILLIAMS. Without promising to commandeer the whole ship.

Mr. CHAMBERLAIN. Without promising to commandeer the whole ship. So that, Mr. President, I have had this matter up with the Shipping Board. I sent them a long telegram from Oregon when I was out there—and the Senators from Washington know that the same conditions exist up there—begging those men, if it was a question of tonnage that they wanted to settle to build the ships, to let private individuals utilize the tonnage and carry the freight. Every ship that is put afloat for private account that is carrying supplies to the allies, releases just that much more space for the transport of troops.

Mr. President, I do not mean to charge any irregularity in the Shipping Board and the Emergency Fleet Corporation, but it seems to me it has resolved itself into a sort of debating society, without being able ever to consummate construction. I am glad to have the Senate take it up, because something ought to

be done, and they never can do anything as long as these changes are being made in the personnel of the Emergency Fleet Corporation and the Shipping Board.

Mr. FLETCHER. Mr. President, I believe that the regulations with regard to interfering with private contracts and commercial business limit the right to build to 3,000 tons. Anything less than 3,000 tons, private yards may construct ad libitum, as I understand, without any danger of interference, but when it goes beyond that the Shipping Board feel that the labor question, the material question, and all those questions ought to be considered before they will permit construction for private use.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator a question. This limitation was made in order to protect the Government, as I understand, in its effort to get steel for steel ships. Now, why should there be any limitation upon the amount of tonnage for wooden ships built upon private account, except this—that of course the Shipping Board will take due account of the fact that a ship that makes less than 13 knots is not fit to go into the war zone?

Mr. HARDING. Mr. President, I should like to hear the debate on this subject.

The VICE PRESIDENT. Nobody knows what is going on.

Mr. WILLIAMS. I was saying that I understand this 3,000-ton limitation for building upon private account was fixed because of the desire to conserve the steel necessary for the construction of the Government ships, but that that did not apply to the wooden-ship situation either upon the Pacific coast or upon the Gulf coast, because the same condition of things exists upon the Gulf coast as was described to exist upon the Pacific coast with reference to wooden ships by the Senator from Oregon [Mr. CHAMBERLAIN]. Now, a wooden ship which can go 13 knots an hour or more is just as well fitted to pass through the war zone as a steel ship going 13 knots an hour; and the Government is not obliged, as it is in the case of a steel ship, to fix a limitation upon the amount of material to be put into a wooden ship, because the Government is not building for Government account any wooden ships at all; and even if it were building for Government account any wooden ships at all, there is plenty of wood. Nobody is disputing about that. Now, I wanted to ask the Senator whether the limitation to which he refers applies to wooden ships, and to suggest that if it does it is an awfully stupid limitation in that far.

Mr. FLETCHER. I am not certain as to whether it applies to wooden ships exclusively or not. The question of tonnage seemed to be the question upon which the permit hinged. If the boat was too small to go into use so as to be of any advantage, then the Shipping Board, of course, would not likely interfere with its construction. In other words, a ship below 3,000 tons would not be considered a ship large enough for the use that we immediately need them for, and therefore they were willing to have contracts made without any restriction below 3,000 tons.

Mr. WILLIAMS. May I ask the Senator a question?

Mr. FLETCHER. Certainly.

Mr. WILLIAMS. Does the Senator know any reason why a wooden ship can not be used just as well as a steel ship for carrying merchandise or anything else through the war zone, provided the wooden ship has sufficient machinery to propel it just as fast as the steel ship can be propelled?

Mr. FLETCHER. I do not. I know of no reason.

Mr. WILLIAMS. Then if that is the case, and if the Gulf coast and the Pacific coast want to furnish all the wood that they can and build all the wooden ships possible upon private account without costing the Government a cent, why should the Government obstruct the whole thing and handicap it by a provision that it is to have the right to commandeer the machinery without commandeering the ship whenever it gets ready? Why do they not do one of two things—either withdraw the threat of commandeering the machinery just as soon as the man has his ship ready for profitable enterprise, or else agree to commandeer the ship as a whole and pay him what it is worth?

Mr. FLETCHER. I quite agree with the Senator in his position. We ought to do one thing or the other, it seems to me. We ought to go on with the building of these ships, and we ought to do away with the restrictions that interfere with the building of ships, and if necessary, it has been suggested here, with the persons who interfere with it.

Mr. HARDING. Mr. President, in the early part of his reply the Senator from Florida scarcely did me justice. I was trying to put this question above the plane of partisan advantage, and that was my object in suggesting that the resolution come from the committee. I have no desire to go into the failure of Congress in the past in building a merchant marine. I am concerned about the immediate emergencies in the United States. I know how perfectly futile it is to attempt an investigation here in the

Senate. While it is interesting to learn what this or that Senator knows about the situation, it is not practically helpful, because perhaps none knows any more than I do. But this we can put down as an established fact: We have provided for ships and we are not getting them, and it is the business of Congress to find out why we are not getting them.

Mr. VARDAMAN. I hope the Senator will introduce a resolution and let the investigation proceed.

Mr. HARDING. Let the Senator just be patient. Now, Mr. President, in order to make myself a little better understood, I may say that I have talked to three men who have been conspicuous in the service of the Government relating to shipping, and in each case I have learned after their retirement that they somehow found their hands tied and could not proceed with the work that they were seeking to do.

If I may trespass upon the time of the Senate for a moment, I venture to read one paragraph from the signed article by Mr. George Rothwell Brown in this morning's Post. Speaking of the retirement of Admiral Harris, he says:

Used to doing things by Navy methods when told to go ahead, it has been evident for some time past that Admiral Harris was baffled not by the size of the job but by lack of vision and decision on the part of those surrounding him.

Taking up one of the biggest jobs in the United States with assurances that he had the authority needed to make that job a success, that his hands were free, Admiral Harris undertook to go ahead under full steam, only to discover that he was held down by the anchor of officialdom and hawsers of red tape. A statement to the effect that Admiral Harris was in full charge of the construction of ships was made.

He was not long in finding that the authority he was supposed to have was not real.

I will not follow the article any further. The statements made by Senators on this floor make manifest the need of the Senate Committee on Commerce finding out what is the matter, and then it shall be the duty of Congress to correct that situation. Since the resolution is not forthcoming from the other side, I venture to offer the following.

The VICE PRESIDENT. Is there objection to the presentation of the resolution?

Mr. FLETCHER. Let it be read.

Mr. HARDING. I ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 170), as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized and directed to proceed at once with an investigation of the program, progress, and all matters connected with the building of merchant vessels under the direction of the United States Shipping Board Emergency Fleet Corporation and to report its findings to the Senate at the earliest practicable day, together with such recommendations as it may see fit to make as to remedies for existing difficulties, if any.

Mr. WILLIAMS. Mr. President, there is at the head of the Shipping Board now—I suppose he is yet at the head of it if it has any head—a man of magnificent business ability, a man of constructive genius, a man in whom I have the utmost confidence in every way, Mr. Hurley, of Chicago.

I have noticed all my life that whenever military or naval men get mixed up with business men in cooperating with one another they generally do not cooperate. One has one system and method and the other has another system and method.

Nobody can close his eyes to the fact that we, as a Nation, have not thus far done our full duty in this war; and, upon the other hand, nobody can close his eyes to the fact that the amount of work we have done, considering the point at which we started, has been almost miraculous in quantity and very respectable in quality.

Mr. President, of course nobody, I take it, has any objection to the resolution, nor would I for one regard it in the slightest degree as partisan because it happened to come from a Republican Senator, especially coming from a Republican Senator who has held up the hands of this Government in this war and has shown no suspicion of lukewarmness, of disloyalty, as is the case with the Senator from Ohio. I think that almost everything that sheds light upon transactions in a free country is a very good thing. You may think that you are going to give some hint to the enemy, but you may rely upon it that the enemy knows all about it already. The best thing you can do, as a rule, is to let your own people know all about it.

I imagine one of the best things that can be done now is to let these men—able men, honest men, loyal men—upon the Shipping Board explain to the country why and how they have been baffled in their efforts to accomplish a national purpose.

Mr. President, David Lloyd-George said the other day that this was a question of "ships, and more ships, and still more ships," paraphrasing what Danton said long ago about "audacity, and more audacity, and still more audacity." But back of all that is a still more important thing, and that is

to destroy the agencies which are destroying the shipping. The shipping right now is sufficient if you can insure it against future destruction. It seems to me that what we have mainly fallen down on is in not destroying the submarines and in not decreasing the weekly destruction which the German submarines are making upon not only American but neutral shipping as well as the shipping of our allies.

I have no fear of the full glare of publicity being thrown upon any of the operations of this Government, because I know that publicity can do no harm and can possibly do a great deal of good. Nor has any man connected with this administration directly or indirectly the slightest objection to it or antagonism to it.

Of course the Senate in carrying on any investigation will not go into matters that men of common sense know ought to be "taboo" in connection with an investigation, and those matters will suggest themselves to any man of ordinary intelligence or ordinary loyalty. If there be those in the Senate who would exploit their lukewarmness in connection with the war or their objection to it through "investigatory" methods the balance of the Senate I imagine can hold them down.

It seems to me that this resolution ought to pass and that this committee ought to go to work, not because I think there is anything wrong. The very worst that can be imagined is that there has been a lack of cooperation because of bringing together men of military training on one hand and men of business training on the other. Whatever the fault is we can find it out, and I am satisfied that nobody will be more glad to find out what it is than the men who are in charge of this particular business, or will be more glad rather to find out how to remedy it than the men in charge of this particular business, and especially the man who is at the head of it.

Mr. LEWIS. Mr. President, let the Senate indulge me but for a minute.

I stood on this floor presenting the qualifications of the present chairman of the Shipping Board as being worthy of acceptance when the matter of confirmation was considered by this body. I should like to give my indorsement to the flattering but just encomium of the Senator from Mississippi [Mr. WILLIAMS] touching Chairman Hurley. There is no better business man, there is no more patriotic man, and none, in my judgment, who brings to bear more devoted service. I am satisfied that anything that may be disclosed by an investigation or by act of Congress that could indicate how we could improve the service would be promptly accepted by him.

But, Mr. President, I wish to be a little more explicit than the Senator from Mississippi. I take upon myself a little further responsibility.

Mr. President, the Senator from Mississippi indicated, and he could have gone further and very freely stated, what is the real trouble. When there was an effort made through the proceedings of some executive branch of the Government to try to coalesce and merge the services of the Navy together with that of the merchant marine there arose what has been heretofore termed upon a more memorable occasion an irrepressible conflict. The pride of officials of the Navy and the opinion of men in the civil administration ran at once counter, and, to use the words I used upon the same subject matter once before upon this floor, there arose a contest of epaulets. This seems ever to arise, as the Senator from Mississippi aptly intimates, whenever there is an effort to bring these two branches of the service together.

Mr. President, without saying which of them may be right, which opinion should prevail, may I add this, that I happen to know that the officials of the present Shipping Board will welcome the resolution of the eminent Senator from Ohio and the undertaking by this committee in order, sir, that there may be ascertained at the earliest moment two things: First, where is the responsibility for the constant divergencies and the constant conflicts which are being aired in the public press, as they should be, which is giving a very bad view of the United States to the outside. Second, to definitely establish who shall have the authority to proceed in certain directions, that there may be no longer a further conflict.

I join, sir, in the suggestion of the Senator from Mississippi in the support of the resolution of the Senator from Ohio, and hope that the resolution will receive at once a unanimous vote.

Mr. SWANSON. Mr. President, I desire to make only a few remarks in connection with the action of the Navy and the Shipping Board. The Navy has always been invited when they want to determine what kind of ships to build as to the method of construction. If these ships had been turned over to the Navy I believe they would have been under contract and in process of construction. We are building ships, largely cruisers and destroyers, and every type of ship for transports and supplies is under construction and in rapid process of construction.

The trouble has been the naval officers have not been given the authority to construct these ships when they have been selected as managers. Consequently, naval men can not spend their entire time when needed for the construction of ships by the Navy in making suggestions to boards.

It seems to me that the matter should be investigated, and it should be determined why the board can not construct ships as rapidly as the Navy can construct them. I am glad everybody thinks the time has come to ascertain whether the method is good and to put the responsibility where it ought to be, to see why ships are not being constructed which are absolutely necessary for us to conduct the war to a successful conclusion.

Mr. FLETCHER. Mr. President, to the resolution offered by the Senator from Ohio I have no objection at all, and I presume it is broad enough to cover the object in view. I would suggest as an amendment to it, in order to make it more effective, these words:

And that the committee be, and is, authorized during the Sixty-fifth Congress to send for persons, books, and papers; to administer oaths and employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with the subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during the sessions or recess of the Senate.

That is the usual form.

Mr. WILLIAMS. I suggest to the Senator from Florida that if he adds that language the resolution will be compelled to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and it can not be adopted now because there is a law which requires that reference.

Mr. FLETCHER. Could not the committee report immediately within an hour or so?

Mr. WILLIAMS. I do not know; I am not a member of the committee now, but there is a law which requires that every payment out of the contingent fund must go to the Committee on Contingent Expenses, and you can not even by unanimous consent, in either House, vary from that law. So I suggest to the Senator from Florida to leave out that part of it and merely put in the general language that the committee shall have authority to sit in the recess of Congress and conduct this investigation. Then when we come back after the Christmas holidays the resolution may be introduced to pay the expenses, and it may then be sent to the Committee on Contingent Expenses.

Mr. SMOOT. Mr. President, I will say to the Senator I do not think there is any need of that, because there are now in the Chamber most of the members of the committee. They can meet within 15 minutes on the resolution and report it back. I believe that that ought to be put in the resolution because of the fact that no expenditures could be made without it. I think if we are going into the examination, the committee ought to have that authority and make a thorough examination.

Mr. WILLIAMS. I do not know that any expense will be incurred necessarily, but if the Senator is sure that a quorum of the committee are upon the floor and the resolution can be reported back right away, then I shall have no objection, of course.

Mr. SMOOT. I can assure the Senator that a majority of the committee are on the floor of the Senate at this moment.

The VICE PRESIDENT. Does the Senator from Ohio accept the amendment of the Senator from Florida?

Mr. HARDING. I would be very glad to accept the amendment with the understanding that the resolution is to be referred to the committee.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

MIDSHIPMEN AT THE NAVAL ACADEMY.

The VICE PRESIDENT. The Chair lays before the Senate House bill 6967, to increase the number of midshipmen at the United States Naval Academy, which will be considered as having been read twice by its title.

Mr. SWANSON. I ask for the immediate consideration of the bill.

Mr. GALLINGER. Mr. President—

Mr. SWANSON. I should like to say, before the Senator from New Hampshire proceeds, that I have polled the members of the Naval Committee who are in the city, and it is their desire that this bill shall pass before the recess for the holidays is taken.

Mr. GALLINGER. Then, let the bill be referred to the Committee on Naval Affairs and be immediately reported back. Let us have the usual procedure.

The VICE PRESIDENT. The bill will be referred to the Committee on Naval Affairs.

Mr. SWANSON. Mr. President, as a member of the Committee on Naval Affairs I am authorized to report back favor-

ably, without amendment, the bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, and I ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, as follows:

Be it enacted, etc., That hereafter there shall be allowed at the United States Naval Academy 5 midshipmen for each Senator, Representative, and Delegate in Congress, 1 for Porto Rico, 2 for the District of Columbia, 15 appointed each year at large, and 100 appointed annually from enlisted men of the Navy, as now authorized by law.

Sec. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

Mr. OVERMAN. As the bill has not been read, I should like to know what increase is proposed to be made in the number of midshipmen?

Mr. SWANSON. I will say that at present there are three permanent midshipmen allowed each Senator and Representative. One additional temporary midshipman was allowed until the 1st of September, 1918, making four in all. Authorization for the additional midshipman will expire on the 1st of September, 1918. The only increase of midshipmen at the Naval Academy proposed in the bill is from four to five for each Senator and each Member of the House of Representatives.

Mr. MYERS. I will ask is this a House bill or a Senate bill?

Mr. SWANSON. It is a House bill and has been passed by the House of Representatives.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

PETITIONS AND MEMORIALS.

Mr. CALDER. I present a petition of the Legislative League of New York, which I ask to have printed in the Record.

There being no objection, the petition was ordered to be printed in the Record, as follows:

NEW YORK, December 6, 1917.

To the SENATE OF THE UNITED STATES.

GENTLEMEN: The officers and members of the National Legislative League do respectfully request you to enact such legislation as shall relieve all native-born American women from loss of citizenship in this Republic, even when married to a citizen or a subject of another nation.

We ask this because such loss of citizenship entails on women such injury by the forfeiture of property which can not in some States be held by an alien, and deprives them, even in case of widowhood, of that protection which the United States should always extend to her daughters as well as to her sons.

We ask it because the women of this country have done their best in all times of war or public distress to serve the Nation by many noble acts of philanthropy and devotion, and, finally, because it is a cruel and unjustifiable wrong to deprive any loyal and honorable daughter of the land of her birthright of citizenship in this Republic.

IDA L. SLACK,

President of Legislative League.

Mr. TOWNSEND presented petitions of sundry citizens of Muskegon and Saginaw Counties, in the State of Michigan, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the Humboldt Chamber of Commerce, of Eureka, Cal., praying that an appropriation be made for a survey of the Pacific coast military highway, which was referred to the Committee on Military Affairs.

He also presented a petition of the city council of Alameda, Cal., praying for the enactment of legislation providing punishment for any spy found in this country, which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented a petition of Local Branch No. 110, Ladies' Auxiliary, National Association of Letter Carriers, of Pittsburg, Kans., praying for an increase in the salaries of letter carriers, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Haskell Institute, Federal Employees Union, of Lawrence, Kans., praying for the enactment of legislation to increase the salaries of Government employees, which was referred to the Committee on Appropriations.

Mr. McLEAN presented petitions signed by 3,000 citizens of Hartford, Conn., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. KENYON presented petitions of the Monday Club of Decorah, of the Current Events Club of Decorah, of A. E. Anderson and sundry other citizens of Arlington, and of the Woman's Christian Temperance Union of Des Moines, all in the State of Iowa, praying for national prohibition and for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of Maine, praying for the enactment of legislation to curb the activity of pro-German sympathizers, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented petitions of the congregation of the Methodist Episcopal Church South, of Lewisburg, W. Va., praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the congregations of the Presbyterian Church and the Methodist Church of Lewisburg, W. Va., praying for censorship of motion-picture films, which was referred to the Committee on Education and Labor.

PUBLIC BUILDINGS COMMISSION.

Mr. MARTIN. In the last sundry civil appropriation act a provision was incorporated creating a joint commission known as the public buildings commission to investigate and report relative to providing permanent quarters for all the Government activities in the District of Columbia. The commission was required to report by the first day of January, 1918. I am authorized by that commission to make the report, which I now submit.

I will say that the report gives a large fund of exceedingly valuable information. We do not finally dispose of the matter, but the information will be useful in the further investigation and disposition of the subject. I ask that the report be printed and that 100 additional copies be printed for the use of the Senate, 25 copies to go to the Committees on Appropriations and the Committees on Public Buildings and Grounds of the Senate and the House of Representatives, and the remainder to be distributed to Senators and Representatives according to the usual rule under which Senate documents are distributed.

Mr. SMOOT. Mr. President, I understand the Senator from Virginia has asked that additional copies be printed?

Mr. MARTIN. I have put it in that form.

Mr. SMOOT. That is necessary because of the fact that the law requires that the regular print shall be distributed in a certain way.

Mr. MARTIN. I ask that 100 additional copies be printed so as to provide the distribution which I have suggested.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia? The Chair hears none and it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WEEKS:

A bill (S. 3291) to amend section 9 (a) of Title I of an act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916; to the Committee on Finance.

By Mr. CALDER:

A bill (S. 3292) granting a pension to Jennie Magee; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3293) for the relief of Vinson Slasor (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3294) granting a pension to Rebecca Fullerton (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 3295) for the relief of Charles Taffee; to the Committee on Military Affairs;

A bill (S. 3296) granting a pension to Jennie B. Spiker; and

A bill (S. 3297) granting a pension to Selma M. E. Kattner; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3298) incorporating the Supreme Lodge of the World, Loyal Order of Moose; to the Committee on the Judiciary.

By Mr. OVERMAN:

A bill (S. 3299) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 3300) for the relief of Sylvester P. Hill; to the Committee on Military Affairs.

A bill (S. 3301) granting an increase of pension to Oxley Johnson (with accompanying papers); and

A bill (S. 3302) granting a pension to Orval W. Hiatt (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 3303) to remove the charge of desertion from the military record of John H. Galloway; to the Committee on Military Affairs.

A bill (S. 3304) granting a pension to Arzanna Nesbitt; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3305) granting an increase of pension to Leonard H. Bunker;

A bill (S. 3306) granting a pension to Clara E. Stuart (with accompanying papers); and

A bill (S. 3307) granting an increase of pension to Horace G. Maloon (with accompanying papers); to the Committee on Pensions.

RAILROAD TRAFFIC DIRECTOR.

Mr. STERLING. I introduce a joint resolution providing for the appointment of a general railroad traffic director, which I ask may be referred to the Committee on Interstate Commerce. In view of the fact that Congress is about to adjourn for the holidays, I should like unanimous consent to have the joint resolution printed in the RECORD.

The joint resolution (S. J. Res. 118) providing for the appointment of a general railroad traffic director was read twice by its title and referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolved, etc., That for a period during the present war and in order to meet the present emergency in regard to the transportation of food, fuel, and other products or commodities essential to the public welfare the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a general railroad traffic director who shall have the power, and whose duty it shall be, to have and exercise general supervision and direction over the handling and movement of all railroad freight trains engaged in the transportation of any such products or commodities in order that the railroad facilities of the United States may be fully coordinated and utilized in the transportation and delivery without waste or unnecessary delay of such products or commodities. That in order to meet the public exigencies or the needs of any particular section or community for any of said products or commodities, as well as to serve the military or other governmental needs, the said traffic director shall have the power and it shall be his duty to determine when necessary all questions of priority between different shipments of such products or commodities, including shipments made on Government account, and in all cases of conflict between railroads relative to priority in making any shipment or shipments, or in all cases of conflict between any of the various departments of Government and said railroads or between governmental agencies themselves as to precedence or priority in any given shipment or shipments, it shall be the duty of said director to determine such priority according to the national needs and the public or community exigencies of the case. And the said director is hereby authorized to make and give notice of any proper order directing or staying such shipment or shipments as said several needs and exigencies may require.

Any officer, director, or manager of any railroad company failing, neglecting, or refusing to obey the order of said general traffic director so made shall be punished by a fine of not exceeding \$5,000 or imprisoned not exceeding five years, or by both such fine and imprisonment: *Provided*, That nothing herein contained shall be construed to in any manner deprive such railroads of the right to just compensation for shipments made either under contracts for such shipments or under the supervision and direction of said traffic director.

WITHDRAWAL OF PAPERS—HENRY M. BRYANT.

On motion of Mr. JONES of Washington, it was ordered that the papers accompanying the bill (S. 4393, 64th Cong., 2d sess.) granting an increase of pension to Henry M. Bryant be withdrawn from the files of the Senate, no adverse report having been made thereon.

INTERSTATE TRANSPORTATION.

Mr. CUMMINS. Mr. President, I submit the resolution which I send to the desk, and ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. But I make this suggestion: If I can secure a favorable report immediately, I intend to ask for the consideration of the resolution at this time, as I regard its passage as very important. I may say, Mr. President, in order that those who are here may know what is the object of the resolution—

Mr. JONES of Washington. I suggest to the Senator that the resolution should first be read.

Mr. CUMMINS. Very well.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 171), as follows:

Resolved, That the Committee on Interstate Commerce of the Senate is hereby authorized and directed, by subcommittee or otherwise, to inquire into and report to the Senate at the earliest practical date upon the recommendations made by the Interstate Commerce Commission regarding conditions affecting interstate transportation; that said committee may conduct such inquiry by subcommittee or otherwise, and shall be empowered to hold sessions during the recess of the Senate, and for this purpose the committee, or any subcommittee thereof, is empowered to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings and have reports of same printed for use, and any expense in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. NEWLANDS. Mr. President, the Senator from Iowa consulted me with reference to the presentation of this resolution, and I told him that I would make no objection to it. It will be necessary, however, to have the approval of the Committee on Contingent Expenses, I think, before the resolution can be adopted.

Mr. JONES of Washington. I want to ask the Senator from Iowa a question. As I understood the reading of the resolution, it is limited to an investigation of the recommendations which have been made by the Interstate Commerce Commission. Would that prohibit the Committee on Interstate Commerce from making an independent investigation on any line which it may deem wise?

Mr. CUMMINS. Mr. President, I suppose it would not; but in any event the recommendations of the Interstate Commerce Commission are so broad and comprehensive, at least the report is so comprehensive, that it would permit an inquiry into any subject that is now pertinent to the immediate question before us.

Mr. JONES of Washington. Very well.

Mr. CUMMINS. Mr. President, the purpose of the resolution, I think, is apparent. That our facilities for transportation are now inadequate I think must be taken for granted. The Interstate Commerce Commission has considered that subject and has made a report on the general conditions which now prevail. I must not be understood as imputing any blame to the railroad companies; I think they are doing all they can; I do not impute any blame to the Government, for I think its direction has been as wise as under the circumstances could have been expected; but the truth is that our railroads were neither located nor built to meet the extraordinary conditions which now confront us. If we intend to make these lines of transportation sufficient to meet the extraordinary emergency, we must do something to unite their energies so that the various railroad managers would not feel under obligations to the stockholders and bondholders, so far as the management and operation of particular railways are concerned.

I think it is understood, Mr. President, that this is intended to be helpful and not critical. I think it is understood that presently there will be a recommendation from the President upon this very grave subject. We ought to be prepared as well as we can be when the recommendation reaches Congress to act speedily upon it, because the people of the country are suffering now—seriously suffering—and the conduct of the war is suffering because the transportation facilities are not able to bear the burden that has been put upon them.

I ask the Senator from Kansas whether he can now make a report on the resolution from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. THOMPSON. The resolution has not yet been referred to the committee.

Mr. CUMMINS. Under the rule the resolution must be so referred.

The VICE PRESIDENT. The Chair was waiting for the Senator from Iowa [Mr. CUMMINS] to conclude before referring the resolution to a committee. If the Senator from Iowa has concluded, the Chair will now refer the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. Mr. President, just one word on the resolution. I fully indorse the resolution; I think it should pass; but I really believe that the committee already has power to make the investigation proposed. In order, however, to make it absolutely sure, I will say to the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate that, so far as I am concerned, I am perfectly willing that the resolution should be reported from the committee at once.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably without amendment Senate resolution 171.

Mr. CUMMINS. I ask unanimous consent for the present consideration of the resolution just reported from the committee by the Senator from Kansas.

The PRESIDING OFFICER (Mr. ASHBURST in the chair). Is there objection to the request of the Senator from Iowa?

Mr. GALLINGER. Let the resolution be read.

The Secretary read the resolution (S. Res. 171), as follows:

Resolved, That the Committee on Interstate Commerce of the Senate is hereby authorized and directed, by subcommittee or otherwise, to inquire into and report to the Senate at the earliest practical date upon the recommendations made by the Interstate Commerce Commission regarding conditions affecting interstate transportation; that said committee may conduct such inquiry by subcommittee or otherwise and shall be empowered to hold sessions during the recess of the Senate, and for this purpose the committee, or any subcommittee thereof, is empowered to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings and have reports of same printed for use, and any expense in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. NEWLANDS. Mr. President, I join in the request of the Senator from Iowa that immediate consideration be given to the resolution which he has offered.

The resolution was considered by unanimous consent and agreed to.

INVESTIGATION OF THE SHIPPING BOARD.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 170, and I ask for its immediate consideration.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 170), as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized and directed to proceed at once with an investigation of the program and progress of the building of merchant vessels under the direction of the United States Shipping Board and the Emergency Fleet Corporation, and that the committee be, and hereby is, authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths, to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. HARDING. I ask unanimous consent for the immediate consideration of the resolution.

The PRESIDING OFFICER. Is there any objection?

Mr. GALLINGER. Mr. President, I simply desire to make one observation. I trust that the committee in its investigation will take into consideration the propriety of getting rid of this dual organization and put some business man at the head of one organization that can build these ships. If that could be accomplished I think we would have some ships.

Mr. WILLIAMS. I think so, too.

Mr. LODGE. Mr. President, inasmuch as the ship matter is again up, I want to say one word in regard to the Navy, which has been reflected upon. The Navy has not sought, as I understand, to build the merchant ships, but if the building of those ships is given to the Navy they will be built. The ships of the Navy are being built and they are being turned out with the greatest possible rapidity in the classes which are most needed. I do not in the least desire to thrust upon the Navy the building of our merchant ships, but it is entirely unfair to say that the Navy has anything to do with the delay.

I regard Mr. Hurley as a most excellent man. I spoke of him in the Senate at the time of his appointment, but all that we can say after these months is that we have had the Shipping Board now for nearly a year—

Mr. SMOOT. A year and three months.

Mr. LODGE. And we have not any ships, and apparently there is not much prospect of getting ships. My own belief is that if we would abolish the Shipping Board and put in one thoroughly competent man with responsibility as the head of the shipping corporation, or whatever you choose to call it, and tell him to go ahead and build ships, we would get the work done; but we shall not do so under the present system. I blame no individual, either civilian or naval officer; the system is all wrong.

Mr. BRANDEGEE. Mr. President, in examining the resolution hastily I notice that the work of the committee is confined to the investigation "of the program and progress." I should think it would be desirable, if we wish to know exactly what the trouble is, if there is trouble, to include all matters connected with the building of the ships.

Mr. WILLIAMS. Does not the word "progress" cover that?

Mr. BRANDEGEE. Technically "progress" means to find out to what extent they have progressed, whether the ships are 20 per cent completed or 40 per cent completed. I assume that the Senate would perhaps like to know concerning the contracts in relation to the ships, the prices to be charged, and things of that kind. If we say "all matters in connection therewith," the committee can go as far as they like.

Mr. WILLIAMS. I think "progress" covers it. That includes the activities of the board as well as the rapidity of progress.

Mr. FLETCHER. Mr. President, I have no objection to the amendment suggested by the Senator from Connecticut; I think he has made a very good suggestion.

Mr. HARDING. Mr. President, the author of the resolution has no objection to broadening its scope in any way.

Mr. FLETCHER. Will the Senator from Connecticut suggest where the amendment should come in?

Mr. BRANDEGEE. I suggest that it come in so as to read something like this: "Inquire into the program, progress, and all matters concerning or connected with the building of merchant ships." What I mean is, if in the course of the inquiry a certain state of facts develops which the inquirers do not now know about, they may do what their judgment dictates and not be estopped by the wording of the resolution.

Mr. FLETCHER. I think the Senator's suggestion is a very good one, although I thought perhaps the words "program and progress" would probably be sufficient.

Mr. BRANDEGEE. I have offered the amendment and the Secretary is now trying to insert it in the proper place, as I understand.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend the resolution so as to read:

Proceed at once with an investigation of the program, progress, and all matters connected with the building of merchant vessels under the direction of the Federal Shipping Board.

Mr. BRANDEGEE. The Senator from Mississippi [Mr. WILLIAMS] suggests that I should include also the words "and the recommendations."

Mr. WILLIAMS. "Recommendations to remedy the existing difficulty."

Mr. BRANDEGEE. Very well.

The PRESIDING OFFICER. The resolution will be so modified.

The resolution as modified was agreed to, as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized and directed to proceed at once with an investigation of the program, progress, and all matters connected with the building of merchant vessels under the direction of the United States Shipping Board Emergency Fleet Corporation, and to report its findings to the Senate at the earliest practical day, together with such recommendations as it may see fit to make as to remedies for existing difficulties, if any; and for this purpose the committee is authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths; to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recess of the Senate.

CIVIL-SERVICE EXAMINATIONS.

Mr. POMERENE. Mr. President, I send to the desk a joint resolution and ask that it be read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read the joint resolution introduced by the Senator from Ohio.

The joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations, was read the first time by its title, and the second time at length as follows:

Resolved, etc., That the act of July 2, 1909 (36th Stats. L., 1), is hereby amended so as to permit the United States Civil Service Commission, during the period of the war, to hold examinations of applicants for positions in the Government service in the District of Columbia and to permit applicants from the several States and Territories of the United States to take said examinations in the said District of Columbia. Said examinations shall be permitted in addition to those required to be held by said act of July 2, 1909. (36 Stats. L., 1.)

The PRESIDING OFFICER. The joint resolution will be referred to the Committee on Civil Service and Retrenchment.

Mr. POMERENE. Mr. President, before that is done allow me to say a word concerning the purpose of the joint resolution. The Civil Service Commission are required to hold examinations for those who seek to get on the eligible list throughout the several States and Territories of the country and under the statutes referred to in the resolution all applicants shall apply for examination in the State or Territory where they reside. Very recently there has been an effort made on the part of the Civil Service Commission and other departments of the Government to get young men and women to enter the service in a clerical capacity, and a good many young men and young women have come to Washington, assuming that they could get positions, not knowing of the statute which required them to stand examination in the States and Territories in which they reside.

The result is that under the law as it now is they would be required to go to the expense of returning to their homes to pass these examinations; and the commission seek to have this statute modified during the period of the war so that it will be permissible for them to hold these examinations and for applicants to enter these examinations here in the District in addition to the examinations which are required to be held in the States and Territories.

Mr. SMOOT subsequently said: From the Committee on Civil Service and Retrenchment I report back favorably, without amendment, the joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations, and I ask its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the act of July 2, 1909 (36 Stats. L., No. 1), is hereby amended so as to permit the United States Civil Service Commission, during the period of the war, to hold examinations of applicants for positions in the Government service in the District of Columbia, and to permit applicants from the several States and Territories of the United States to take said examinations in the said District of Columbia. Said examinations shall be permitted in addition to those required to be held by said act of July 2, 1909 (36 Stat. L., No. 1).

Mr. GALLINGER. Mr. President, from what I have learned about the Civil Service Commission, I think it might as well go out of business now as at any other time. They are taking on to my knowledge hundreds and thousands of people without civil-service examination. I ask that the matter go over, Mr. President. I want to look into it.

Mr. POMERENE. May I make a suggestion to the Senator before that order is made? This matter just came to my attention this morning. I understand that it is true, as a matter of necessity, that these rules have been suspended temporarily, and, as I have been told, these young people have been advised that they must take their examinations within 90 days, if I am correctly informed. If this joint resolution becomes a law, it will avoid the necessity of suspending this rule in the way that I have indicated, so that these examinations may be held.

Mr. GALLINGER. Mr. President, while I am not enamored with the civil-service law, I have never made any particular attack upon it. The civil-service law provides that the employees of the Government shall be apportioned to the States and Territories. These young people have come here without any reference to that, I take it. They will be examined, and that salutary provision of the law, as I think, will be ignored. I do not think they ought to have been invited here as they were. They ought to have been told before they came here that there was a civil-service law on the statute books. They ought to have come here with that knowledge in their minds. But they came here pell-mell. They have been put into positions that they are not qualified to fill, and they are doing the best they can; and they will be coached now and will probably pass some sort of a civil-service examination.

I have a feeling of a good deal of disgust with the way things are going. The President has the power, and he exercises it, under some old statute that somebody revived, to exempt almost anybody from civil-service examination. He is doing it, and these people are put in places without any regard to the civil-service law.

I think this is a matter of sufficient importance to be looked into, and I object to its present consideration.

The PRESIDING OFFICER. In view of the objection, the joint resolution will have to go over.

Mr. POMERENE. Mr. President, may I say in answer to the Senator that this joint resolution does not suspend that part of the statute which regulates the distribution of these clerks among the several States. If that statute has been suspended, or if it has been ignored, this amendment does not recognize or authorize such a change as would seem to be indicated by the statement made by the Senator from New Hampshire.

Mr. GALLINGER. Well, Mr. President, I think they have been given 90 days at least, have they not?

Mr. POMERENE. I have heard that statement made. I can not state that authoritatively, but that is my general information.

Mr. GALLINGER. I think so; so that time will not expire before we meet again. I should like to look into the matter; that is all.

Mr. POMERENE. But, Mr. President, if I may make the suggestion, this prevents the young people who are here now from taking these examinations. It seems to me it would aid the purpose the Senator has in mind if this joint resolution were to be passed.

Mr. GALLINGER. No; I prefer that it go over. The other body would not act on it to-day, anyway, if we were to pass it.

The PRESIDING OFFICER. The joint resolution will go over.

Mr. GALLINGER subsequently said: Mr. President, in reference to the joint resolution introduced by the Senator from Ohio, I was laboring under a misapprehension, if the matter has been properly presented to me. I supposed that all these young people were given employment for 90 days. Senators tell me that there are a good many of them here who have not any employment, but who want to take an examination. That being the case, I want to withdraw my objection and allow the joint resolution to be considered.

Mr. POMERENE. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The morning business is closed.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

Mr. PITTMAN. I ask unanimous consent that the Senate proceed to the consideration of the unfinished business, being Senate bill 2812.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. SWANSON. Mr. President, I desire to offer an amendment, on page 12, line 15, to strike out "or within naval petroleum reserve numbered two."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 12, line 15, it is proposed to strike out the words "or within naval petroleum reserve numbered 2."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. On page 13, lines 15 to 19, I move to strike out the proviso.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 13, lines 15 to 19, it is proposed to strike out the proviso, as follows:

Provided further, That all royalties received under the provisions of this section from said naval petroleum reserve numbered 2, whether in oil or money, shall be delivered or credited to the United States Navy.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. On page 13, lines 22 to 24, I move to strike out "numbered 1, in the State of California, or naval petroleum reserve numbered 3, in the State of Wyoming."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 13, lines 22, 23, and 24, it is proposed to strike out the words "numbered 1, in the State of California, or naval petroleum reserve numbered 3, in the State of Wyoming."

Mr. SMOOT. Mr. President, the amendment just offered by the Senator from Virginia would leave the three lines above it meaning nothing at all. His amendment, if it is going to be adopted, ought to begin with the word "That," on line 19, page 13. The whole proviso ought to go out, and not simply the lines the Senator has just mentioned. In other words, what the Senator desires is, after the word "Navy," to strike out the words:

And provided further, That none of the provisions of this section or of this act shall be applicable to or affect lands or minerals included within the limits of naval petroleum reserves numbered 1, in the State of California, or naval petroleum reserve numbered 3, in the State of Wyoming.

Mr. SWANSON. No; I desire to have that language changed a little. I want that part stricken out and on page 13, line 21, insert "any" between "of" and "naval," so that the proviso will read:

And provided further, That none of the provisions of this section or of this act shall be applicable to or affect lands or minerals included within the limits of any naval petroleum reserve.

Mr. SHAFROTH. It seems to me there can be no objection to that.

Mr. SMOOT. Mr. President, I have no objection to that amendment, but I want to ask the Senator from Wyoming if he is satisfied with having naval reserve No. 3, located in Wyoming, eliminated from the bill.

Mr. KENDRICK. Mr. President, so far as I am informed, there has been no controversy about that naval reserve, so that I assume the elimination of it at this time will be satisfactory to the people of my State. Personally, I do not believe that it will ever be used for naval purposes, but I am perfectly willing to trust to future legislation for its proper disposition and the correction of any error to which our attention may not have been called.

Mr. SMOOT. If it is satisfactory to the people of Wyoming, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Virginia.

The amendment was agreed to.

Mr. BORAH. Mr. President, I should like to ask the Senator from Virginia, so that I may know, not having had time to examine all these matters, the effect of his amendment. As I understand, it is simply to eliminate. It does not put anything else in the bill.

Mr. SWANSON. These amendments simply eliminate from the bill every allusion to the naval petroleum reserves. They do not put anything at all in the bill. They simply eliminate those entirely, so that they are not affected by this legislation.

Mr. SHAFROTH. Mr. President, I desire to offer another amendment. After the word "Alaska," in line 16, page 4, I move to insert "not previously entered under the preceding section 2 hereof."

Mr. SMOOT. Mr. President, I will suggest to the Senator that if he follows the same language used in the other parts of the bill, it would read as follows:

Unless previously entered under section 2 of this act.

Mr. SHAFROTH. All right; that is satisfactory.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the words "Territory of Alaska," on page 4, line 16, it is proposed to insert the words "unless previously entered under section 2 of this act."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PITTMAN. Mr. President, I desire to offer a few formal amendments to the bill. I send them to the desk and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 1, line 3, it is proposed to strike out the word "potassium" and the comma following it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 1, line 7, commencing with the word "or," the first word in the line, it is proposed to strike out to and including the word "such," on line 8, or the following words: "or to those who have declared their intention to become such."

Mr. SMOOT. Mr. President, I should like to ask the Senator why he desires to strike out those words. They are the words which are used in nearly all of the land laws in which there is a right given to entry.

Mr. PITTMAN. We are treating as alien enemies the subjects of foreign countries who are in that category; and I thought that during this war it would not be advisable to pass an act giving any civil rights to those to whom we are denying rights under our war conditions. That is the reason.

Mr. SMOOT. I asked the question not because I objected to these words going out but simply because I wanted to have a record made of the reason why the change in our general land laws was made at this particular time.

Mr. PITTMAN. That is the reason at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. Also, on page 2, line 4, after the word "any," the second word in the line, before the word "association," it is proposed to insert the words "citizen or any," so that, if amended, it will read:

SEC. 2. That any citizen or any association composed of persons—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 3, line 1, after the word "such" it is proposed to insert the word "person," so as to read: "no such person, association, or corporation."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I should like to have the Secretary read the provision as it is now amended.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. As amended, beginning at the top of page 3, it reads:

No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The SECRETARY. Also on page 3, line 15, after the word "any," it is proposed to insert the word "person," so that it will read:

That any person, association, or corporation, member of such association—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 4, line 16—

Mr. PITTMAN. That has already been taken care of by the amendment of the Senator from Colorado.

The SECRETARY. On page 15, it is proposed to strike out line 24 and all down to and including line 21 on page 21.

Mr. PITTMAN. That is potassium.

Mr. SMOOT. That is for the reason that it has already been acted upon by the Senate.

Mr. PITTMAN. That is true. It has become a law in a separate act.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Nevada will be stated.

The SECRETARY. On page 30, line 5, strike out the word "no" and insert in lieu the word "all."

Mr. PITTMAN. That will be understood as taken in connection with the next amendment that I am offering.

Mr. SMOOT. There will have to be another amendment, for it would never do that way.

Mr. PITTMAN. I ask to have the amendment passed over until the next amendment is stated and that the two be regarded as one amendment.

The PRESIDING OFFICER. The next amendment will be stated.

The SECRETARY. On page 30, line 6, insert, after the word "lands" the words "heretofore withdrawn from entry, except those reserved for the Navy, shall be subject to this act, and none of such lands," so that it will read:

Provided, That all coal, oil, gas, potassium, or sodium lands heretofore withdrawn from entry, except those reserved for the Navy, shall be subject to this act, and none of such lands shall hereafter be withdrawn from the operation of this act for a longer period than one year without the consent of Congress.

Mr. PITTMAN. That makes definite the question that was up between the Senator from Colorado [Mr. SHAFROTH] and the Senator from Idaho [Mr. BORAH].

The amendment was agreed to.

The PRESIDING OFFICER. Has the Senator from Nevada any further amendment to offer?

Mr. PITTMAN. I have no further amendment to offer.

Mr. SMOOT. On page 2, line 11, I move to strike out the words "or reserved," so that the section down to those words following after the word "municipalities" will read as follows:

That any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State, or any municipality of any State, shall upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State of the Union not otherwise appropriated by competent authority.

Mr. PITTMAN. I have no objection to that amendment.

The amendment was agreed to.

Mr. SMOOT. On page 15, line 2, I move to strike out the word "such" and insert "a" so that it will read:

And any person who at the time of any withdrawal order heretofore made was a bona fide occupant or claimant of oil or gas bearing lands within such withdrawn area.

The amendment was agreed to.

Mr. SMOOT. On page 15, line 6, after the word "discovery," I move to strike out the balance of that line and all down to and including the word "claim" in line 11. In other words, I ask that these words be stricken out:

If the claim was initiated within less than three years prior to the withdrawal, and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in obedience to such order desisted from the prosecution of work for the development of such claim.

Mr. SHAFROTH. Mr. President, that matter was a subject of long consideration by the committee and on that account, it seems to me, the text of the bill ought not to be changed. If that is done there ought to be a change in the second line and the words "or claimant" ought to be eliminated. It is contended by some that some of these claimants have never done any work and that they go back not only for 3 years but for 30 years and claim as if they are bona fide occupants all right. To say "or if they were bona fide claimants" would open up a field for any number of persons to claim by saying "Oh, I always claimed that as mine." So if the amendment which is offered by the Senator from Utah prevails, the words "or claimant" ought to be stricken out.

Mr. SMOOT. I wish to say that in some instances the claims were initiated more than three years prior to the withdrawal by prospectors in good faith and acting in good faith, and with the bill as it now stands such locators would be deprived of their equities, the same passing into the hands of those who are unable to secure possession through the courts of law. In the oil fields of Wyoming, if that provision is allowed to remain in the bill and becomes the law, some of the locators who located three years prior to the time mentioned here will be deprived of all the rights that they may have to those locations. In other words, Mr. President, a man who jumped his land and has undertaken through the courts to deprive the locator of it will secure title to the land rather than the original locator. I do not believe we ought to give any such class of citizens any advantages at all in securing the oil lands of Wyoming.

Mr. SHAFROTH. The department seems to desire that that limitation shall be placed in the bill for the purpose of prevent-

ing people from going back for half a century and claiming something that they had done no work upon. There ought to be some limitation and inasmuch as that limitation was placed there and these lands were withdrawn in 1909, and that would make it in 1906, if a person did not comply with the act and find oil within that time it seems to me there should be that limitation.

Mr. SMOOT. They may have been upon the land, they may have been prosecuting the claim as best they could, complying with all the requirements of the law as to the expenditure of money and as to the drilling of a well, and yet it would have been impossible to find oil within the three years' limit. There are many men, I am informed, who find themselves exactly in that condition, and if this provision becomes a law they would have no recourse whatever.

Mr. BORAH. Is this the limitation clause of section 17?

Mr. PITTMAN. Yes.

Mr. BORAH. If the bill is not to be disposed of until after the holidays, as I hope it will not, I should like to have an opportunity to examine this section. I have not had time to look into it, but I have had messages in regard to it which lead me to believe that we ought to investigate it. I ask the Senator from Nevada if it is the intention to have the bill come to a vote to-day. Due to the fact that we have only seven or eight Members in the Senate Chamber, I ask the Senator if he would not be willing to fix a certain time to vote after the holidays.

Mr. PITTMAN. I will state it was my intention to ask for a unanimous-consent agreement in a few minutes so that this matter may go over until after the holidays.

Mr. SMOOT. Then, if this matter is going over and the bill itself is going over until after the holidays, I ask the Senator now to allow me to withdraw the amendment I have offered, and I will get more definite information than I have at the present time. My only object in offering it is to secure the right of certain citizens to what seems to me to be a just claim on their part. Of course, if it is not, I would not ask to have the amendment made, nor would I press it in any way. I will promise the Senator from Nevada that between now and the 4th day of January I will have more information in detail than I have at the present time.

Mr. PENROSE. Mr. President, I happen to know something about this question, on account of the large number of Pennsylvanians who are engaged in Wyoming in developing these lands. It is my understanding that if the period of three years could be made five years it would cover the situation.

Mr. SMOOT. Let it go over.

Mr. PENROSE. Why not make the amendment providing for five years now, and it can be further amended, if necessary, after the recess.

Mr. KENDRICK. Will the Senator yield?

Mr. PENROSE. I shall make that motion or have the Senator make it, if agreeable to him. I move to strike out "three" and insert "five," and then the paragraph can be still further amended when the bill comes up for final passage.

The PRESIDING OFFICER. The Senator from Utah has a pending amendment, which will preclude this amendment.

Mr. PENROSE. I modify his amendment.

Mr. SMOOT. As I stated, I will withdraw my amendment, and I will say now if an amendment is offered by the Senator from Pennsylvania, and if it is adopted, I reserve the right to offer my amendment when the bill reaches the Senate. I reserve that right now.

Mr. PENROSE. It was shown to me that there were a number of claims beyond dispute that would be kept out by this three years' limitation, but that all legitimate claims would be covered by a limitation of five years.

Mr. BORAH. In view of the fact that we can not in all probability dispose of the bill to-day, why not permit us to have all the details? I do not know whether a provision for five years is necessary or whether it will cover the situation. It is manifest that some people are very much dissatisfied with the limitation in the bill and claim that it is practically an adjudication on the part of Congress of their claims. I wish the Senator from Nevada would permit this matter to go over until after the holidays.

Mr. PITTMAN. I will say to the Senator from Idaho this is a matter which seems to be of peculiar interest to the people of Wyoming. In fact, I know of no other section of the country that would be interfered with by this particular section. When the committee were considering the matter they were given to understand that three years would protect any bona fide claimants of land, and the committee were desirous of protecting against any fraudulent claims.

The Senator from Idaho must realize that it was shown in the committee that if there was not any limit placed to the time

these claims may have been initiated a man may say that 20 years ago I posted a location notice on a claim.

Mr. PENROSE. No one contends, I understand, for more than five years.

Mr. PITTMAN. It is a matter largely with the citizens of those States, and the committee thought that a limitation of three years would take care of all bona fide claims. They may be mistaken about that, and if mistaken about it the limitation can be changed to five years.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I yield.

Mr. BORAH. It may be that the Senator from Nevada is entirely correct, because I confess I am dealing with this matter somewhat in the dark. I should not have called attention to this particular clause at all had it not been for some telegrams which I have had the privilege of reading; but I am unable to protect the parties who sent the telegrams, because I do not know just exactly what they want. However, if the bill is going over anyway, I do not see why it should not carry with it this amendment. I should like even before I urge any change in the bill at all to know more about the facts in regard to it. I may not be in favor of any change. I do not want to protect any fraudulent claim. Nobody in the Chamber does, of course.

Mr. PITTMAN. The Senator in charge of the bill suggests that we pass it over, so that we can look into the matter further.

Mr. KENDRICK. I should like to see the amendment offered by the Senator from Pennsylvania prevail and the change made to five years instead of three. It is a step in the right direction anyway. I am sure that it would bring the necessary relief to the majority of my people, and if we got nothing better later on we would have that much gained anyway.

Mr. BORAH. In view of what the Senator from Wyoming says, I am perfectly willing to take his judgment, with the understanding that if a state of facts is developed to warrant it we shall have the privilege of going into this section again with a view of amending it if we want to do so.

The PRESIDING OFFICER. The Chair understands that the Senator from Utah withdraws his amendment?

Mr. SMOOT. I do.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Pennsylvania to strike out "three" and insert "five" before the word "years," in line 7, on page 15.

The amendment was agreed to.

Mr. PITTMAN. I send the following request for unanimous-consent agreement to the desk and ask that it be read.

The PRESIDING OFFICER. The Secretary will read the proposed agreement.

The Secretary read as follows:

It is agreed by unanimous consent that at not later than from 5 o'clock p. m. on the calendar day of January 4, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill S. 2812, a bill to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain through the regular parliamentary stages to its final disposition, and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once nor longer than 10 minutes upon the bill, or more than once nor longer than 10 minutes upon any amendment offered thereto.

Mr. GALLINGER. Mr. President, I will venture to suggest to my friend the Senator from Nevada, that he put the date a little further along. Our recess will not expire until the 3d, and during the meantime some of us want to look into this measure a little more carefully than we have done. Would not the Senator be willing to make it a couple of days later than the 4th?

Mr. PITTMAN. I will say to the Senator from New Hampshire that I took that matter up with a number of Senators beforehand, and the Senators having charge of legislation on this side are very urgent to get this bill out of the way. Out of respect to their wishes and to those who are conducting legislation on this side I have fixed the date on the 4th. I think that will give us ample time to look into the bill.

Mr. SMITH of Arizona. I hope the Senator from New Hampshire will not delay this action.

Mr. GALLINGER. I do not propose to delay it unduly.

Mr. SMITH of Arizona. I know the Senator would not delay it intentionally longer than it is necessary for a proper consideration.

Mr. GALLINGER. We come here on the 3d and, of course, will do nothing on that day; and the day fixed in the agreement is the very first day that we will be in session, of course.

Mr. PITTMAN. As far as I know, everyone favoring this bill has spoken. I know of no one else who cares to speak.

Mr. GALLINGER. I suggest to the Senator to make it the 5th. There can be no objection to that, surely, on the part of the friends of the bill.

Mr. PITTMAN. The Senator from Arizona [Mr. SMITH] is very anxious to get important legislation passed, and several other Senators have been urging that this measure be gotten out of the way speedily.

Mr. GALLINGER. But we are going to be here six more or eight months, anyway, in all human probability.

Mr. SMITH of Arizona. But the Senator will appreciate that as soon as we get into the regular business of the session after the recess everybody will oppose any legislation that does not affect the war, and we have to pass these bills before the committees bring in legislation pertaining to the war. There are quite a number of very important bills that the Senate ought to attend to before that time.

Mr. GALLINGER. Mr. President, I do not like the habit we are getting into of what is sometimes denominated railroad-bills through the Senate. Yesterday we were lectured by a distinguished Senator on the other side upon the ground that we were delaying the consideration of a certain measure that had been before the Senate only a day and a half. I never knew anything of the kind to occur before in the Senate. The Senator from Utah [Mr. KING] was taken to task because he wanted to express his views on the pending bill. He had only talked a short time, but he was told he ought to stop.

Now, I do not like that method of doing business. I am good-natured always, and I have no disposition to postpone unduly any measure. While I shall vote against this bill, I do hope the Senator from Nevada will agree to give us one day at least after we reassemble, to get our second breath on it and give it some consideration.

Mr. PITTMAN. The Senator from Arizona [Mr. SMITH] has relieved me from the pressure I was under. Therefore it affords me pleasure to agree to the suggestion of the Senator from New Hampshire and I will ask that the 5th be substituted for the 4th.

Mr. GALLINGER. That is better. Let the roll be called.

Mr. JONES of Washington. I wish to suggest to the Senator that the hour be changed from 4 o'clock to 5, and that we begin at 2 o'clock under the 10-minute rule. The chances are that most amendments will be left until that time and there may be quite a number of amendments offered after 2 o'clock. I do not like to see any time set after 2 o'clock for a final vote. I should like to see the limitation placed upon speeches to 5 or 10 minutes after 2 o'clock. Then let every amendment that is proposed be discussed. If we put it at 5 o'clock I am quite sure every amendment that is offered will have such discussion as it requires after 2 o'clock. So I suggest to the Senator to make it 5 o'clock instead of 4.

Mr. PITTMAN. That will be agreeable to me.

The PRESIDING OFFICER. The Secretary will make the modification as requested.

Mr. GALLINGER. Let the roll be called under the rule.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Lewis	Ransdell
Bankhead	Harding	McCumber	Shafroth
Beckham	Hardwick	McKellar	Sheppard
Borah	Hitchcock	McNary	Shields
Brandeggee	Hollis	Martin	Smith, Ariz.
Calder	James	Myers	Smith, Md.
Chamberlain	Johnson, Cal.	Nelson	Smith, Mich.
Cummins	Johnson, S. Dak.	New	Smoot
Curtis	Jones, Wash.	Newlands	Sterling
Dillingham	Kellogg	Norris	Stone
Fernald	Kendrick	Penrose	Sutherland
Fletcher	Kenyon	Phelan	Townsend
France	King	Pittman	Vardaman
Frelinghuysen	Knox	Poindexter	Wadsworth
Gallinger	La Follette	Pomerene	Weeks

Mr. LEWIS. I wish to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN] because of illness. I ask that this announcement may remain.

I wish also to announce the absence of the Senator from Delaware [Mr. SAULSBURY], called from the Chamber on official business.

Mr. VARDAMAN. I desire to announce the absence of the Senator from Missouri [Mr. REED] and the Senator from Massachusetts [Mr. LODGE] on business of the Senate.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. GALLINGER. Let the request be stated once more.

The PRESIDING OFFICER. The Secretary will read the proposed agreement as modified.

The Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 5 o'clock p. m. on the calendar day of January 5, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending,

any amendment that may be offered, and upon the bill S. 2812, a bill to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once nor longer than 10 minutes upon the bill, or more than once nor longer than 10 minutes upon any amendment offered thereto.

Mr. PENROSE. I suggest that it is very doubtful in my mind whether we will have a quorum on Friday and whether it would not be better to make the agreement for Monday. If there is a quorum here the Senate can take up other business if the bill is not under debate. I am not going to urge the point, but I am only submitting it.

Mr. BORAH. We will certainly have a quorum here after two weeks of adjournment.

Mr. PENROSE. The fact remains, however, that we meet the latter part of the week, and the disposition of a great many Members will be to stay away the rest of the week.

Mr. BORAH. I do not care to debate the matter if the Senator wants to urge it. I know the Senator from Nevada was very anxious to fix it on the 4th, and although I am opposed to the bill I did not myself care to urge any later date. I ask the Senator from Nevada if the agreement is adopted whether he proposes to go ahead with the debate any further to-day?

Mr. PITTMAN. It is the intention of the Senator having charge of the bill to ask that it be temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SHAFROTH. I suggest to the Senator that Friday is the 4th of January, and undoubtedly it would be better to take the vote at that time than on Saturday, because so many leave at the end of the week.

Mr. PENROSE. I am almost certain there will not be a quorum of the Senate on Friday and Saturday. There is no use in disguising the fact that Senators will not come down here for a session of one day.

Mr. PITTMAN. I would not want to have this matter come up if there was not a quorum. I think it would be very unfortunate for the matter to come up without a quorum.

Mr. PENROSE. That is what I feel. I am interested in the passage of this bill on account of a large number of Pennsylvania constituents, and I do not see any use in fixing a day when every Senator must realize, I believe, that a quorum will not be here.

Mr. GALLINGER. I do not know how the Senator figures it out that there will not be a quorum here. We will have a recess of 12 days, and the Senate convenes on Thursday. It is inconceivable to me that Senators will not return at that time to attend to their duties. There may be a few who will not, but most of us will be here.

Mr. PENROSE. The Senator from New Hampshire, who is my leader in nearly every step I take in this body, is going to stay here, but I am not basing my statement on any theory. I have talked with a large number of Senators, and those who are going away and going to a distance, as nearly all Senators who leave Washington will be going to a distance, I feel very confident are not coming down here to attend a session on Thursday or Friday, with a probable adjournment over until the following Monday. If, however, the Senator in charge of the bill chooses to take the chance, I do not intend to pursue the matter any further. If I had charge of the bill, I should make the date for a vote Monday, the 7th of January.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of Michigan. Mr. President, I agree with the Senator from Pennsylvania [Mr. PENROSE]. I think the date fixed for a vote should be Monday, and unless a later date than the 5th is named I shall object.

Mr. PITTMAN. Mr. President, I have already receded in this matter two or three times for the convenience of Senators; I know that it will inconvenience the Senator from Pennsylvania and the Senator from Michigan, from what they say, and possibly other Senators, to fix the time for a vote on the date named, and, as we are putting the vote off now for two weeks or more, I would not urge against the wish of any Senator having the vote taken two days earlier. I therefore ask that the date for the vote be changed to Monday, the 7th of January.

The PRESIDING OFFICER. The Secretary will make the proper correction, providing that the vote be taken on Monday, the 7th of January. Is there objection?

Mr. SMITH of Arizona. Mr. President, if that be agreed to, I should like to make a parliamentary inquiry. I ask whether this bill will remain, up to the date fixed for a vote, as the unfinished business of the Senate?

The PRESIDING OFFICER. The Chair is advised by the parliamentarian at the desk that it would remain the unfinished business.

Mr. SMITH of Arizona. Then a motion in the meantime to take up another bill would simply mean the displacing of the regular order?

The PRESIDING OFFICER. The unfinished business could be suspended by unanimous consent at any time.

Mr. PITTMAN. Mr. President, having charge of the bill, I will state to the Senator from Arizona that at any time no Senator is desirous of speaking on this bill I shall ask unanimous consent that it be temporarily laid aside, so that the Senator from Arizona or any other Senator may proceed with any matters of emergency.

Mr. SMITH of Arizona. I am interested in the measure the Senator has in charge, particularly as it affects Arizona, but I should like to repeat the notice I heretofore gave—as I stated then, for what it was worth, and it is worth no more now—that I desire to move at every possible opportunity to take up a measure on the calendar relating to the question of print paper.

Mr. SHAFROTH. I suggest to the Senator from Arizona to make the motion now.

Mr. PHELAN. Mr. President, pressure was brought yesterday to yield consideration of section 16 of the pending bill in order that the measure might pass before the holidays. I desire to call the attention of the Senator from Virginia to the fact, now that consideration of the whole measure has been deferred until after the holidays, that I trust he will be ready to present his substitute measure for section 16 at that time. It seems to me that by reason of this postponement some of us have been mildly imposed upon.

Mr. SWANSON. I will state to the Senator from California that I am framing a bill which I shall introduce as a separate measure for this—

Mr. PHELAN. For section 16?

Mr. SWANSON. A separate measure for section 16. I did not consent that the bill be taken up for consideration except with the understanding with certain Senators that that provision would be eliminated. I am not obstructing the passage of the bill; I am ready to vote now. Senators from the West are objecting to the consideration and passage of the bill and not other Senators. My purpose is to introduce a separate bill to condemn these lands.

Mr. PHELAN. The Senator will be ready, then, to have the bill taken up on January 7?

Mr. SWANSON. Not as an amendment to this bill.

Mr. PHELAN. But as a substitute for section 16?

Mr. SWANSON. I will introduce the bill and have it referred to the Naval Committee. It will be then within the power of the Naval Committee to report the bill, and, if it is the disposition of this body to consider it, that will be done. I will say, however, that the Senator from California is not precluded from introducing any bill or any other measure at any time which he thinks will make a proper disposition of this matter.

Mr. PHELAN. I therefore give notice that at that time I shall seek to take up the question of the reconsideration of the action by which section 16 was eliminated from the bill.

Mr. SMOOT and Mr. SHAFROTH addressed the Chair.

Mr. GALLINGER. Regular order, Mr. President!

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. SMOOT. Mr. President, before I give unanimous consent to an agreement to vote upon the pending bill, I want an understanding with the Senator from Virginia that he is not going to offer the bill referred to by him as a part of the pending bill.

Mr. SWANSON. I have agreed with Senators that I would not do so.

Mr. SMOOT. That is what I have understood.

Mr. SWANSON. I have an agreement with certain Senators that this matter would not be considered on the pending bill.

Mr. PITTMAN. Mr. President, this matter has been placed in my charge by the Committee on Public Lands. It is a bill involving a great many subjects; in fact, it involves three or four subjects outside of section 16 of the bill. It involves something besides 7,000 acres of land in California; it involves 44,000,000 acres outside of 7,000 acres in California; it involves a million acres of oil lands outside of the 7,000 acres in California. I have felt, as does the Senator from California, with regard to the method by which that land in California should be treated; but we came to the conclusion that this bill could not become a law, that it never would become a law, if we attempted to keep the provision in relation to naval reserves in the bill. The Senator from California agrees with that and has agreed with it on this floor.

I do not care what he thinks about it; he may be willing to defeat all this legislation, as he knows it will do if he should

succeed in putting that provision back in the bill; but I shall never consent to have it put back in the bill, and I tell him that it never will be put back in the bill, no matter how many times we reconsider it.

So far as the delay in this matter is concerned, it is no more unusual than the delay we have had on many bills. The Senator from Idaho [Mr. BORAH] insisted that he should have more time on this measure. He had it within his power to delay this bill until after the holiday recess if he saw fit to do so. Under the position he took, he would have been justified in doing so if I had declined to grant a reasonable postponement. I therefore have agreed to a reasonable postponement. I not only think that it is a courtesy due to the Senator from Idaho and to the other Senators, but I think also that it is probably the best way to facilitate action on the bill; and so long as I have charge of the bill I am going to pursue this course. Whenever that is not approved by the Public Lands Committee of the Senate, they can give charge of the bill to some other Senator. I now ask that the question on the unanimous-consent agreement be submitted.

The PRESIDING OFFICER. Is there objection to entering into the unanimous-consent agreement? There being none, it is entered into.

Mr. HOLLIS. Mr. President, I ask the Senator from Nevada if he is willing to ask that the pending bill be temporarily laid aside in order that another matter may be brought up?

Mr. PITTMAN. At the request of the Senator from New Hampshire, and if there are no other Senators who desire to speak on the bill at this time—and I assume that there are none—I ask unanimous consent that the bill be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? There being none, it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, and it was thereupon signed by the Vice President.

PURCHASE OF FARM-LOAN BONDS.

Mr. HOLLIS. I move that the Senate proceed to the consideration of Senate bill 3235, being a bill providing for an amendment to the farm loan act.

The PRESIDING OFFICER. The Senator from New Hampshire moves that the Senate proceed to the consideration of Senate bill 3235.

Mr. GALLINGER. Mr. President, let the title of the bill be stated.

The PRESIDING OFFICER. The Secretary will state the bill by title.

The SECRETARY. A bill (S. 3235) amending section 32, Federal farm loan act, approved July 17, 1916.

Mr. GALLINGER. Mr. President, before the motion is put for the consideration of the bill, I ask that the bill be read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

A bill (S. 3235) amending section 32, Federal farm loan act, approved July 17, 1916.

Be it enacted, etc., That the Federal farm loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending June 30, 1918, and June 30, 1919, respectively, to purchase, at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

"Such purchases shall not exceed the sum of \$100,000,000 in either of such fiscal years. Any Federal land bank may at any time repurchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank so purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this amendment one year after the expiration of the pending war, shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

"The temporary organization of any Federal land bank as provided in section 4 of said Federal farm loan act shall be continued so long as any farm loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm loan associations shall equal the amount of stock held in such bank by the Government of the United States."

SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

Mr. CALDER. Mr. President, I want to occupy the attention of the Senate to make some observations on a matter that is not pending here to-day.

Mr. HOLLIS. Will not the Senator from New York wait long enough to have the bill taken up? Then he can, of course, speak upon anything he pleases. The motion for the present consideration of the bill is pending, and I ask that it may now be put.

Mr. CALDER. I agree to that.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire to proceed to the consideration of the bill which has just been read.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CALDER. Mr. President, I wish to discuss for a moment the operation of the selective-draft act. I find that on December 15 the different draft boards throughout the country forwarded to men registered a questionnaire. Upon the answers to this will determine in just what class the different men eligible for draft are placed. It seems to me, Mr. President, that before we get too far into the next draft the law should be amended, for in its operation great hardship is visited on certain sections of the country.

Yesterday I received from the adjutant general of my State a list of the draft boards, the quota taken from each draft district, and the number of men examined to make up that quota. I find that in some districts about 20 per cent of the registrants have been called to make up the complement required, while in other districts practically every unmarried man physically competent has been taken. The operation of the law in the next draft will work a great hardship in some communities. Not only will every unmarried man be taken who is eligible for service but practically all married men who are citizens and of draft age. This is caused by the fact that in many sections there is a large alien population. I have made a very careful study of the conditions in New York City, where I reside, which indicate that in some draft districts substantially 5 per cent of the registrants are aliens, while in others as high as 80 per cent are aliens. The law rests upon the theory that the number taken shall be based on the total population, but in its operation none but the citizen is selected.

Early in June of last year I introduced a bill which would have made the draft apply only to those eligible for service. That bill was not reported from the Committee on Military Affairs, but a resolution introduced by the senior Senator from North Dakota [Mr. McCUMBER] and a resolution introduced by the Senator from Oregon [Mr. CHAMBERLAIN] were reported and acted upon. These two resolutions now lie in some committee of the House of Representatives, and I am told are not to be favorably considered there. My bill is a clear exposition of just what the draft act, in my judgment, should be.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. CALDER. I do.

Mr. McCUMBER. I think the Senator is in error with reference to the resolution introduced by myself. If I remember rightly, I think that was converted into a Senate resolution, because it related only to the matter of the President entering into agreements with other nations for the purpose of securing treaties that would allow us to put citizens of countries that were in arms with us against the common enemy and who were residing in the United States into our armies. I understand—and I want to ask the Senator to give me information if I am in error—that the President has acted upon that resolution, that he has taken the matter up with foreign countries, and will soon be able to report to the Committee on Foreign Relations.

Mr. CALDER. Mr. President, the Senator is correct. I was mistaken in my statement that his resolution went to the other House. It was a Senate resolution; it was acted upon unanimously, was referred, as I understand, to the State Department, and that department undoubtedly has taken the matter up. However, our Government has not yet effected treaties with other governments permitting us to draft their citizens residing within our country into our military service. The new draft is coming on very fast; in another six weeks it will be here; and then we will have a condition of things applying to certain sections of the country where every single man who is a citizen will be taken, every man who is physically fit to go, every married man, while in adjoining districts the married men, who ought to be excused, will not be taken.

So, Mr. President, I want to say to the Senate that this hardship upon these certain so-called alien communities of our country is causing a great deal of dissatisfaction on the part of the people. Practically all of the men who live in

the sections which I have in mind are either of alien birth or parentage, and they see married men with families and dependent children taken, while in other places they are excused. There can be no excuse, Mr. President, for the Congress to permit a condition of this kind to exist, and I rise now simply for the purpose of calling the attention of the Senate to it and to say that on the first day of the convening of the Congress after the recess I shall move to have the Committee on Military Affairs discharged from the further consideration of my bill, which simply fixes the quota of the draft to be obtained on the basis of citizen registration rather than on the basis of population.

If we do not make this change, Mr. President, I believe we are going to have serious difficulty among those of our citizens who are of foreign birth. Senators have observed, undoubtedly, the very great Socialist vote cast in the city of New York in the recent election. That vote came largely from the so-called foreign sections of the city in which the injustice of the feature of the draft has worked the greatest hardship. I sincerely trust that Senators will realize how very serious this matter is and that unless it is remedied a feeling will be created throughout the land that we are compelling certain sections of our country to give up all of their men who are citizens, relieving others of that very condition. I hope that this matter will not be overlooked. I shall ask the chairman of the Committee on Military Affairs before I depart for my home for the recess to consider this question; but if he does not I shall ask the Senate to act upon it.

Mr. HOLLIS. Mr. President, the Federal farm-loan bill was passed in July, 1916. Under its terms 12 Federal land banks were established covering the entire United States. They were given under that bill a capital of \$750,000 each. The Farm Loan Board proceeded to establish the banks and was ready to make loans and to sell farm-loan bonds a year later; that is, last July.

Under the plan of the farm-loan system the loan is made to the farmer at a certain per cent. The banks are allowed to add to that per cent not to exceed 1 per cent of the loan for what is called in the mortgage business the "spread"; that is, the expense of the system. The Farm Loan Board believed that they could sell the farm-loan bonds at 4½ per cent. Therefore they made the rate to the farmers 5 per cent. At the time the Farm Loan Board was ready to authorize the first issue of farm-loan bonds the first liberty loan was in progress, and the board did not wish to interfere in any way with the sale of the liberty bonds, which were at a lower per cent than the farm-loan bonds. It therefore made no campaign, did nothing to cry up its bonds or cry down the liberty bonds or come in competition with them. In spite of the extreme modesty with which the Farm Loan Board proceeded its bonds met with a very great demand; they could not be prepared fast enough for the investors beginning in July last up to November. When the second liberty-loan campaign was started the demand for the farm-loan bonds was chilled and the Farm Loan Board finds itself now with some \$70,000,000 of farm loans contracted for; that is, approved, passed upon, and accepted, and is not able to sell its bonds on the 4½ per cent basis. I feel myself that the Farm Loan Board should not be in competition with the Government in the sale of its bonds; I feel that the Government should pool the investment money that is available in one reservoir and the Secretary of the Treasury should say where that money should be applied.

Under the law the Farm Loan Board can raise the rates of the farm-loan bonds above 4½ per cent and make them attractive to investors, but when they do that the tendency will be to raise the rate at which we will have to sell liberty bonds, and that ought not to be done. The Secretary of the Treasury is reluctant to take on any burden of this sort, but he considers it advisable, and he has asked to have this bill passed.

I will explain briefly what the bill is. The bill provides that the Secretary of the Treasury may, in his discretion, purchase farm-loan bonds at par and interest, not to exceed \$100,000,000 in the present fiscal year and in the next fiscal year; that any land bank may repurchase these bonds at par and interest at any time, and that one year after the termination of the pending war the Secretary of the Treasury shall demand payment from the land banks.

There is a further provision that was added by the committee in regard to the temporary organization of the land banks. Under the temporary organization it was provided that the five directors of each land bank should be appointed by the Farm Loan Board. Under the law whenever the contributions from farm-loan associations equal \$100,000, the land banks are to be permanently organized with six directors elected by the farm-loan associations and three appointed by the Farm Loan Board. It is felt that as long as the Treasury has in its vaults any of

the farm-loan bonds the temporary organization should be continued so that the Government will have control of the conduct of the banks; and the fourth paragraph of the bill provides for that emergency. I myself am very sorry that the necessity to borrow enormous sums by the General Government has made it necessary to call on the Treasury for this relief at this time.

Mr. TOWNSEND. Mr. President—

Mr. HOLLIS. I yield to the Senator.

Mr. TOWNSEND. I want to interrupt the Senator for just a moment, to state that I believe this a subject in which most of the Senators are very greatly interested, and I was wondering if the Senators who were not here knew that this question was to come up to-day. I speak of this because I am sure that they, like myself, would desire to hear this question discussed, and if they did not know it was coming up and the Senator has no objection I should like to suggest the absence of a quorum.

Mr. HOLLIS. I have interviewed many Senators, in fact most of those on this side, and I think most of those on the other side have been spoken to. Those who are in favor of the bill and those who feel obliged to oppose it knew that it was to be pressed before the recess, because the emergency is rather acute. Of course, I do not object to having a quorum called for, if the Senator desires. I doubt, however, if any Senator would remain who is not already here. I have sent for those who I understand are particularly interested in it.

Mr. TOWNSEND. Very well.

Mr. FLETCHER. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Florida?

Mr. HOLLIS. I yield.

Mr. FLETCHER. On the subject of the temporary organization of the land banks, which it is provided in section 4 shall be continued, I will ask the Senator if that means that the existing organization must be continued—that is to say, a man who is president of a bank to-day must be continued as president—or whether that means that the organization rests with the Farm Loan Board? Does it necessarily retain in office the president, vice president, and secretary of the banks as they exist to-day, the individuals who are now holding those offices, or can they be changed by the Farm Loan Board?

Mr. HOLLIS. The bill stipulates that the temporary organization as provided in section 4 shall be continued. That does not mean the temporary organization of any bank, but the temporary method or plan of organization shall be continued. I think there can not be any doubt of that. I was about to state that I regret very much that the condition of the money market incident to the war and the very heavy demand made upon the investing funds of the country have made it necessary to ask for this temporary relief. There are now pending in the Federal land banks loans that have been approved and accepted to the amount of \$70,000,000. They were not—

Mr. POINDEXTER. Mr. President—

Mr. HOLLIS. I yield to the Senator.

Mr. POINDEXTER. Will the Senator give us some idea as to the experience of the Federal land banks, as to the nature of the security they have obtained for their loans, whether or not any of the loans have matured, or any of them are delinquent, and what impression the Senator has of the administration of the law by those who are in charge of the 12 land banks? I ask the question because I have heard a good many remarks and some criticism as to the nature of the loans which have been made.

Another phase of it in which I am very much interested, and I think the country is interested, is, What is the general character of these loans as to the term of them? Are they short-term loans, or are the banks carrying out the general purpose of the act and making long-time loans with amortization features?

Mr. HOLLIS. I will say to the Senator that nearly all the loans are made on very long terms, as was intended. They are all made on the amortization plan, so that with every payment part of the principal is paid in. They have been made on a very safe basis all through the country. The bill provides that no more than 50 per cent of the reasonable valuation may be loaned. That has been kept down almost altogether to 40 per cent.

Mr. McCUMBER. Mr. President—

Mr. HOLLIS. I yield to the Senator from North Dakota.

Mr. McCUMBER. Can the Senator say of his own knowledge that it has been kept down to 50 per cent?

Mr. HOLLIS. Oh, I do not know of a single loan that has been made. I am merely acting on information that was given by the Farm Loan Board.

Mr. McCUMBER. I have information from a great many sources that in certain sections of the country loans are being

made for more than the full value of the land upon which the loans are being taken. My information comes from those who know the situation, know the values of the land, and know the loans that are being made.

Mr. HOLLIS. I shall be very much astonished if that is so. Of course, that is absolutely unlawful and contrary to the letter and spirit of the farm-loan act. If the Senator knows of such a situation as that, it certainly should be exposed, and the responsibility laid where it belongs. If the Senator has any idea that that is so, the matter should be investigated, and I should encourage investigation if there is any such charge.

Mr. STONE. Mr. President, is not this a very good time to expose it, right now?

Mr. HOLLIS. I should think so. I should think it ought not to continue a moment.

Mr. STONE. The Senator from North Dakota has stated that he knows of specific instances—I think he said numerous instances—where farm loan banks had loaned money on land in an amount exceeding the value of the land. Of course, any act of that kind, if done, was unlawful, and, except for the assurance of the distinguished Senator from North Dakota, I would think it inconceivable, considering all the machinery provided for and in the hands of the land banks to ascertain the value of land.

Now, although it is no particular affair of mine, I do not like to have a statement from such a high source as that just made by the Senator from North Dakota stand here in the Record as an indictment of the administration of the land-bank system, the establishment of which I advocated, and the proper administration of which I believed and still believe will be of great benefit to our country. I do not know whether my distinguished friend from North Dakota cares to have that general statement of his stand as he made it, or whether he cares to tell the Senate just exactly what he knows. In such matters actual details are of special value.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire further yield to the Senator from North Dakota?

Mr. HOLLIS. I yield.

Mr. McCUMBER. When the Senator from Missouri formulates his indictment on a charge of any character, I hope he will include in it the words that were used, and not what possibly he might have thought were used. I stated then, and I repeat it so that the Senator may know what my statement was, that I know of instances in which it has been reported to me, and reported to me by those who understand the value of the land and are acquainted with the section where the loans are made, that loans have been made in such sections upon lands to the full value and even more than the value of the lands. That is my statement; so it is not my statement upon my own information at all, but on the information of those in whom I have great confidence.

Mr. STONE. If anything I said was to the effect that the Senator from North Dakota made his statement on personal information, then my statement should be modified, for I did not mean to say that. I heard what the Senator said. Nevertheless the fact stands in the Record now, under the authority of the statement made by the Senator from North Dakota, that he is informed—I must assume, in his judgment, reliably informed—that such things as those he has detailed here have occurred. Now, whether it is upon his individual knowledge of the fact or upon information which satisfies his judgment, I submit that it is a matter for the Senator to consider, not me, whether the Senate ought now to be specifically informed of such instances.

Mr. McCUMBER. Mr. President, if the Senator will yield further—

Mr. HOLLIS. I yield.

Mr. McCUMBER. I am speaking in the Senator's time. I wish when the Senator is through to make some remarks upon the present situation of the farm-loan associations or banks, but I wish the Senator first to complete the statement that he desires to make to the Senate.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from North Dakota a question.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield?

Mr. HOLLIS. I yield.

Mr. SHAFROTH. I am aware, of course, that there are some people, particularly lenders of money, who are opposed to this farm-loan system, because of the fact that it competes with them in the market for their money. Consequently they are opposed to its being lent at a low rate. I should like to ask the Senator whether or not the persons who have made these complaints are either money lenders or bankers?

Mr. McCUMBER. Neither.

Mr. SHAFROTH. Neither one?

Mr. McCUMBER. Neither.

Mr. SHAFROTH. It seemed to me we ought to have that information, because if, as a matter of fact, they are lending money in excess of the value, it ought to be examined into, and it ought to be condemned most strongly.

Mr. McCUMBER. I do not want the Senator for one moment to think that I have not been strongly in favor of support to the rural communities in the loans. I opposed the particular bill that was ultimately passed, and I think I shall be able to show in a very few minutes that my prophecy of what would happen has happened in reference to it.

Mr. GALLINGER and Mr. FLETCHER addressed the Chair. The PRESIDING OFFICER. Does the Senator from New Hampshire yield; and if so, to whom?

Mr. HOLLIS. I yield to my colleague.

Mr. GALLINGER. Mr. President, disclaiming any purpose of interfering with the Senator's interesting statement, I will ask him if he can tell approximately the amount of money that has been loaned by the banks?

Mr. HOLLIS. Yes. The amount that has actually been loaned by the banks is, in round numbers, \$29,000,000.

Mr. GALLINGER. Twenty-nine million dollars; and they have now \$70,000,000 that they have no market for at the present time?

Mr. HOLLIS. Twenty-nine million dollars have been loaned; \$28,000,000 of farm-loan bonds have been sold. There are now pending loans that have been approved to the amount of \$70,000,000.

Mr. GALLINGER. I will venture to ask my colleague further whether or not those loans are distributed throughout the country to a large extent?

Mr. HOLLIS. They are. They are distributed throughout every State in the Union.

Mr. GALLINGER. I will ask my colleague further whether the farmers in New England have taken many of these bonds?

Mr. HOLLIS. Does the Senator mean many of the loans?

Mr. GALLINGER. Yes.

Mr. HOLLIS. Yes; they have; a good many—not as many as in other parts of the country, in the West and South; but I can give the Senator the figures. The applications for loans in the Springfield, Mass., bank amount to \$6,080,000, and those that have been approved amount to \$3,012,000.

Mr. GALLINGER. If the Senator will permit me one minute more, I listened with a great deal of interest to his elucidation of this subject when it was under debate, and the Senator then was very optimistic as to how admirably well this law would operate. As a matter of fact, whether or not the issuance of the liberty bonds has interfered with its operation, it is not operating as well as my colleague expected it would, I assume. Am I correct?

Mr. HOLLIS. The Senator is partly correct. I will explain when he has finished.

Mr. GALLINGER. That is all I wish to ask.

Mr. HOLLIS. I did not hope that any system would go into effect that would work without some Government aid, and for two years I advocated and tried to get adopted this exact provision; but the administration was opposed to it, and I got the bill through in its present form. Up to the 1st of November, when the enormous second liberty loan campaign was under way, everything did work perfectly. The bonds met with a ready demand. They could not be produced as fast as investors wanted them, and that was in spite of the fact of the first liberty loan.

When November came, those who had been investing said: "Every other bond, including the Government bonds, has been marked down. There has been a lower price. Now, are you going to make a lower price on these?" The Farm Loan Board said: "No; we shall not. We think they can be floated at this rate," and they have refused to mark them down. They have not marked them down now. They do not think it is necessary. They think that when the investors find that they can not get them at a lower rate the investors will continue to take them as they did last summer. That is their opinion. I do not know whether they are correct or not.

Mr. McCUMBER. Mr. President, I should like to ask the Senator, if he will allow me, whether these bonds are not exempt from all character of taxation?

Mr. HOLLIS. Everything but the inheritance tax.

Mr. McCUMBER. And they bear 4½ per cent interest?

Mr. HOLLIS. Yes.

Mr. McCUMBER. Does the Senator think that in this period, when the per capita money in circulation is enormously beyond

what it ever has been before, when the rate of taxation upon incomes is very excessive, bonds bearing 4½ per cent that are untaxable and are absolutely good will go begging in the markets of this country?

Mr. HOLLIS. I do not think they will.

Mr. McCUMBER. Unless there is something back of the matter.

Mr. HOLLIS. If I thought they would, I should not favor this legislation; but these banks are tremendously undercapitalized for the amount of business that has come to them. One of the chief objections to the farm-loan act was that the farmers would not come into it; that the farmers would not agree to subscribe 5 per cent of the loans to the stock of the bank; that they would not form farm-loan associations, and that was one thing that I was afraid of; but they have done it so freely and in such enormous quantities, and have asked to borrow so much money, that the Farm Loan Board has not been able, on this amount of capital, to turn quickly enough, and it is for that reason that we ask the Treasury to take some of these bonds, to give them an opportunity to turn around. If I believed that these bonds would not go, I should not believe in the Treasury stepping in. I freely say that.

I should like to give the figures as to how this stands. Roughly speaking, the total amount of loans that have been applied for and approved is \$100,000,000. Thirty million dollars of loans have been actually made and the money has gone to the farmers. That leaves \$70,000,000 applied for and approved; and it is that \$70,000,000, or such part as is finally taken, that we wish to take care of under this bill.

Mr. KELLOGG. Mr. President—

Mr. HOLLIS. I yield to the Senator from Minnesota.

Mr. KELLOGG. Can the Senator give us the page of the RECORD where the table may be found showing the applications from each district and State and the amounts?

Mr. HOLLIS. I can not. I have the table here. It was in last Friday's RECORD, in the proceedings of the House.

Mr. KELLOGG. I thank the Senator.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.

Mr. HOLLIS. I yield.

Mr. SHAFROTH. The Senator has stated that the small amount of capitalization has been the hindrance in getting these loans floated, but to my recollection he has not stated the amount. As I understand, the amount of capitalization of each one of these banks is only \$750,000.

Mr. HOLLIS. I so stated when I began.

Mr. SHAFROTH. Then the reason why these loans can not be floated is because that is too small a capital to handle thirty or forty or fifty or seventy million dollars?

Mr. HOLLIS. That is not entirely so, I think. If the capital had been larger, the bonds could have been taken through the summer in very much larger quantities; the capital could have been turned over very much quicker; but at the present time that is no reason why the bonds are not meeting with a ready sale. It is because the investment pool has been sucked dry by the second liberty loan.

I wish to say that the Senate Banking and Currency Committee had this matter before them Saturday afternoon. There was only one member of the committee present who opposed the bill—the distinguished Senator from Massachusetts [Mr. WEEKS]. Since the bill was reported the Senator from Massachusetts has asked the friends of the measure if they are not willing to have an amendment that will provide that as long as any of these funds from the Treasury have not been repaid the loans made shall not be made for the purpose of refunding other loans; that they shall be made merely for the purpose of increasing farm products.

I think that is an entirely reasonable proviso. If I were a member of the Farm Loan Board, I should pursue that policy. I have conferred with the Farm Loan Board and they say they will pursue that policy; but I can see that they will be subjected to enormous demands from men who do want to refund their loans at a lower rate, and I believe it will be a protection to the Farm Loan Board if this proviso is placed in the amendment that as long as any of the funds from the Treasury have not been repaid no loans shall be made except for the purpose of increasing farm products. If the Senator from Massachusetts offers that amendment, as I presume he will, so far as I am concerned, it will be accepted.

I shall be very glad to answer any questions that I can. If there are no more questions, I shall yield the floor.

Mr. GALLINGER. Mr. President—

Mr. HOLLIS. I yield to my colleague.

Mr. GALLINGER. Inasmuch as for some reason the sale of these bonds has been suspended, and the people have taken a 4 per cent bond which is taxable under certain conditions in preference to a 4½ per cent bond that is not taxable, suppose that the next liberty loan, if it shall be called that, carries a rate of interest of 4½ per cent—which is more than probable—what will be the chance of these bonds, then, in the market?

Mr. HOLLIS. Then I should think that these bonds would sell in preference to the others, because they carry 4½ per cent interest and they are tax exempt; but I should be sorry to see them placed in active competition with Government bonds.

Mr. GALLINGER. Everything is going to be in competition with Government bonds, unless we discover some way of meeting the obligations of the Government without the issuance of bonds; and I have found no one wise enough to suggest any such method up to date.

Mr. HOLLIS. I have already suggested that I believe it is better to have the Treasury borrow the money, pool whatever borrowings are to be made by the Government for any purpose, and for the Treasury to allot as much as should be allotted for each purpose, and for the Treasury to say that the Farm Loan Board can not lend any more than this amount of money. The Secretary of the Treasury is a member of the board, and I think that ought to be done.

I feel as Mr. Louis W. Hill, of St. Paul, does—the son of James J. Hill. He loaned \$500,000 to the land bank of St. Paul at 4 per cent because they were doing such good work in his part of the country. He said:

Agriculture must be encouraged and helped in this emergency, and the people are exceedingly fortunate to have this machinery by which it can be helped by giving money to those who have proved their worth and who can give security so that it will come back.

That was his view of it. I could not put it any better myself.

Mr. McCUMBER. Mr. President, I should like to ask the Senator a question before he yields the floor.

Mr. HOLLIS. I yield to the Senator.

Mr. McCUMBER. In what quantity have these bonds been sold?

Mr. HOLLIS. Twenty-nine million dollars have been actually sold on a four and a quarter per cent basis. They were sold at 101½.

Mr. McCUMBER. How much has the Government itself advanced to these banks?

Mr. HOLLIS. Nine million dollars. That is the capital of the banks; that is all; somewhat less; a little less than \$9,000,000, because there were some private subscriptions.

Mr. McCUMBER. The Government has taken practically all the stock of the banks, or nearly so, has it not?

Mr. HOLLIS. Yes; that was the intention.

Mr. McCUMBER. While it was put forth as a matter in which individuals would take the stock, as a matter of fact the individual citizen has not taken the stock and it has all finally fallen back on the Government?

Mr. HOLLIS. It was never the intention of those who framed the bill—never the expectation—that private persons would take any substantial amount of it. It was not encouraged; in fact, it was discouraged, because private persons owning that stock can not vote on it. It was purposely discouraged.

Mr. HITCHCOCK. Mr. President, may I ask the Senator whether it was not the idea that the stock would gradually pass into the ownership of the farmers' associations that are formed to borrow the money; and is it not a fact that the formation of farmers' associations has been even more rapid than has been expected, and that at the present time 2,000 of such farmers' associations exist? That feature of the bill has been very successful, and gradually those farmers' associations which are borrowing the money are securing a stock ownership in the banks.

Mr. HOLLIS. It will not be long before all the Government stock will have been paid back and retired, at the present rate.

Mr. SMITH of Georgia. Mr. President, I should like to ask the Senator this question, if he has not already answered it: What quantity of approved loans are now with the Farm Loan Board for which they have not yet provided?

Mr. HOLLIS. Substantially \$70,000,000.

Mr. KELLOGG. Mr. President—

Mr. HOLLIS. I yield to the Senator from Minnesota.

Mr. KELLOGG. It is not true that by the passage of this bill it is intended to suspend the sale of these bonds, is it?

Mr. HOLLIS. No; not at all. This is merely temporary relief, so that they can turn around and sell their bonds.

Mr. KELLOGG. They are to be on sale, but the sale of them is not to be pushed as against the Government loans?

Mr. HOLLIS. It is to be pushed as much as the Secretary of the Treasury feels that it should be pushed.

Mr. GALLINGER. Mr. President—

Mr. HOLLIS. I yield.

Mr. GALLINGER. I wish to call the attention of my colleague to line 10, page 2, and ask him if the words "under the provisions of this amendment" should not be stricken out? This is an amendment to the existing statute and, if enacted, will become a part of a particular section of the existing statute.

Mr. HOLLIS. But then, of course, the wording of it will relate to the time that it is passed; and it seemed to me that the word "amendment" was the better word and would lead to less confusion. After it becomes merged in the act there are other provisions in the act with relation to the Treasury, and I should rather have it stay this way. There can be no mistake about this. It is true that after this amendment is passed it will become an act.

Mr. GALLINGER. It will become an act, and we will have in the body of the act itself the words "under the provisions of this amendment," although there will be no amendment.

Mr. HOLLIS. Yes; but this will always be called the amendment of so-and-so, giving the date.

Mr. GALLINGER. It may in language be called that, but as a part of that act there will be no means of determining to what amendment it has reference.

Mr. HOLLIS. It says "the provisions of this amendment," and it seems to me it will lead to less confusion in that way. Of course, if anyone wants to change it, it is entirely immaterial to me.

Mr. SMITH of Georgia. It would be printed just after the act.

Mr. GALLINGER. Why, certainly.

Mr. SMITH of Georgia. As an amendment to the act, in the printed copy.

Mr. GALLINGER. As following section 2.

Mr. SMITH of Georgia. No; it would not be merged into the act, would it? In printing it they would print the original act and print this amendment just after the act, I should suppose. That is the way they usually get up these matters.

Mr. GALLINGER. That is not my experience. However, it is inconsequential, so far as I am concerned, whether it is in or out. I simply think it is not good legislation; that is all.

Mr. WEEKS obtained the floor.

Mr. TOWNSEND. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. WEEKS. I yield.

Mr. TOWNSEND. I want to repeat that I have been very much confused over the reports that I have received concerning this bill. I voted for it in the first place, hoping that it would accomplish splendid results. I have had coming to me, from what I regard as reliable men, such reports as those suggested by the Senator from North Dakota [Mr. McCUMBER], and I feel as though the Senate ought to understand what is going on. While I do not wish to interfere with the Senator from Massachusetts or the Senator from New Hampshire, I feel as though I ought to suggest the absence of a quorum, so that we can have Senators present to hear this discussion.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Martin	Smith, Ga.
Beckham	Hollis	Nelson	Smith, Md.
Calder	James	New	Smoot
Chamberlain	Johnson, S. Dak.	Norris	Sterling
Cummins	Jones, Wash.	Overman	Stone
Curtis	Kellogg	Penrose	Swanson
Dillingham	Kendrick	Phelan	Townsend
Fernald	Kenyon	Pittman	Trammell
Fletcher	Knox	Polindexter	Watson
France	La Follette	Ransdell	Weeks
Frelinghuysen	Lewis	Robinson	Williams
Gallinger	McCumber	Shafroth	
Hale	McKellar	Sheppard	
Hardwick	McNary	Shields	

Mr. LEWIS. I have been requested to announce that the senior Senator from Delaware [Mr. SAULSBURY] is detained on official business.

Mr. KENYON. I wish to announce the necessary absence on official business of the Senator from Missouri [Mr. REED], the Senator from Massachusetts [Mr. LODGE], the Senator from Mississippi [Mr. VARDAMAN], and the Senator from New Mexico [Mr. JONES].

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. WEEKS. Mr. President, I am a member of the Committee on Banking and Currency, which considered this legislation, and I am one of the members of the committee who

voted against reporting it favorably. I assume that as long as the bill comes here with the approval of the administration and the large majority of the Committee on Banking and Currency no other than an affirmative action will be taken, but I think it due Senators when such an unusual step is being taken, one which has never been undertaken before, that they understand just exactly what is being done. It is for that reason I hope to have an opportunity to express to as many Senators as possible my view of this legislation.

The facts are these: This farm-loan system provides for loaning money to farmers to not more than 50 per cent of the value of their property, that is stipulated in the law. Those loans are taken by the banks and bonds are issued against them. The bonds bear and have borne $4\frac{1}{2}$ per cent interest.

A syndicate of bankers was arranged with to sell these bonds on satisfactory terms. The system has been in operation for about a year, the first six months being required to perfect the organization. This syndicate included Lee, Higginson & Co., of Boston; Brown Bros., of Boston and New York; Brown & Co., of Baltimore; and Harris, Forbes & Co., and it was understood that they were to reach out all over the country and take into their organization banks and bankers so that the sales might be as generally distributed as possible.

The 1st of July, after the first liberty bonds had been placed, these bonds were put on the market. There were applications at that time for \$14,000,000 of them. Those, of course, were promptly sold and the bankers were paid a commission of $1\frac{1}{2}$ per cent. They were sold on a $4\frac{1}{2}$ per cent basis, assuming that they do not run for more than five years or six years—most of the mortgages are made to run 35 years—and may be paid by the borrower at any time after that period.

During the following months, up to the time when the second liberty loan was placed, there were sold about as many more bonds as had accumulated for sale the 1st of July, all told \$28,000,000 or \$29,000,000 of bonds. Of these about seven-eighths were sold by the syndicate of bankers, their agreement with the Farm Loan Board terminating the 30th of November, and about one-eighth or something less than one-eighth of the bonds were sold by the various farm-loan banks, it being the purpose of the farm-loan banks to sell their bonds after the first six months and save the commission. It was believed, and I think it was good judgment, that they could be sold for the first six months better by bankers, allowing the farm-loan banks to become thoroughly organized and systematized before they devoted their time to that purpose.

During the months of November and December, after the sale of the second liberty loan, all sales of these bonds stopped. Practically speaking, there have been no sales made since the 1st of November. Notwithstanding that fact, the applications which have been coming in and accumulating during all these months, aggregating something like \$220,000,000, have been under investigation, and \$105,000,000 of those loans have been accepted. So there is now an acceptance of \$75,000,000 of these loans and the sale of bonds has stopped. It will not require \$75,000,000 probably to satisfy the borrowers who have been promised their money, because in some cases they are reduced. A revival of the list by the Farm Loan Board might cut out some loans, but practically speaking, from \$60,000,000 to \$75,000,000 must be furnished by some one or else the promise which has been made to these borrowers must be broken. In that emergency the Farm Loan Board comes to Congress for this loan, which is in this form, that the Treasury shall furnish before the 30th of next June \$100,000,000 to buy these bonds and shall furnish an equal amount during the following year for the same purpose. In other words, the Government is to underwrite this system for \$200,000,000.

Of course, it stands to reason that we are in an unusual condition at present and that perhaps these bonds might have continued to be sold if the Government had not made the rate of interest of the second liberty loan 4 per cent. It is true also that the Farm Loan Board is going to increase the rate of interest on future loans from 5 to $5\frac{1}{2}$ per cent.

Fundamentally the reason why these loans are made is because borrowers now paying 6 or 7 or 8 per cent for their money can borrow it under this system at 5 per cent, or have been able to do it; but we ought to consider, after all, that those bonds do not pay any taxes; that it takes that amount of capital out of the taxable value of every community; and when the bonds are sold, practically speaking, one hand washes another in this respect.

Generally speaking these loans have been made in States where interest rates have been very high. There is something like \$4,000,000,000 of farm-loan mortgages in the United States. The probabilities are that more than half of those are made at 6 per cent and higher rates. There is an absolute certainty of

the fact that as soon as those loans mature the borrowers are going to turn to the Farm Loan Board to borrow that \$2,000,000,000. So if we are going to continue this system and let the system run as it has been up to this time, we may rest assured that we will have in the course of the next few years to loan something like two or probably three billion dollars on farm mortgages. That is a sufficient amount of money, even in these times, to cause us to pause and consider how far we should go in this matter.

In the first place, the Government furnishes the capital to these banks. Of the \$9,000,000 of the capital of the 12 banks, a little over \$100,000 of it was taken by the public. There was a little stock taken by the public in each one of the banks, except the one located at Columbia, S. C. Practically speaking, the Government furnishes the \$9,000,000. Now, the Government, after an operation of six months, is asked to agree to furnish \$200,000,000 more, and Senators ought to consider whether they are going to permit the system to be continued so that it will involve sooner or later an expenditure, or a loan rather, of perhaps \$2,000,000,000. It is that feature of it which I especially want to bring to the attention of those who are listening to me.

How is the purchaser of a liberty bond going to feel when he is importuned to buy a bond, either by the sacrifice of some security which he has or by failing to invest his money in something that will pay him better, if he is told that the money is not to be used to prosecute the war, but it is to be loaned to another one of his fellow citizens simply because that fellow citizen can borrow it at a lower rate of interest than he is now paying on his indebtedness? That is the gist and the essence of this proposition. That is exactly what is going to happen. Senators, if you subscribe to the next liberty loan you must feel that some part of your subscription, instead of being used to prosecute the war, is going to be loaned to some of your fellow citizens at a lower rate of interest than he is now paying and for that reason only. Fundamentally, of course, that is bad morally. It is bad from the standpoint of the Government at such a time as this, and it is bad finance as well.

Personally I have very little faith in any of these schemes which put the Government into business with the assurance that we are going to get better results than heretofore. It is true that there are farm-loan banks all over Europe, but they are all under private auspices, and in no case is the Government involved in any way. I want the Government in this case involved as little as possible. Therefore I am going to offer an amendment to this bill, which I will read:

That until all bonds so purchased by the Secretary of the Treasury have been redeemed or repurchased, no loan in addition to those now approved shall be made by Federal land banks except under special rules prepared by the Federal Farm Loan Board limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing farm products.

In other words, while this situation is bad, it seems to me it will be simply disgraceful if there should be continued the loaning of money for the sole purpose of enabling a man to get his loan at a lower rate of interest than he is now paying. There may be an excuse if it is going to result in an increase of farm products.

Mr. WILLIAMS. Food products.

Mr. WEEKS. I have used the words "farm products." I suppose that includes food products. However, I will accept the suggestion of the Senator from Mississippi. Personally, I do not care to be put in the position of harming this system until it has been thoroughly tried out; I have no criticism of the loans, for I do not know anything about them, and I have no other criticism of the management than that they failed to take warning of the signs which on every hand should have been sufficient to assure them that they were going to have difficulty in marketing their securities.

It seemed to me to be the height of imprudence for men to go on loaning money during the months of November and December and at the same rate of interest that had been loaned before when the slightest investigation would have shown an advancing tendency in rates of interest and a disposition on the part of all lenders not to loan further. It illustrates the truth of the fact that when we have the National Treasury behind us it is easy to reach into it as if it were a bottomless pit and get money for any purpose, even if it is not businesslike or wise.

These loans have come from those States where interest rates were the highest, as of course they would. In States where crops have been standardized and where the financial conditions are such that comparatively reasonable rates of money have prevailed in the past, there have not been any considerable amount of loans. For example, in the New England States there was loaned on an aggregate only about \$700,000. In the great States in the Middle West where the crops are standardized, like Iowa

and Illinois and Indiana and Ohio, where the certainty of a crop is assured, the farmers have borrowed comparatively little money, simply because the rate of interest in those States has been not over 6 per cent at any rate and very often not over 5 per cent. For example, in the State of Pennsylvania, which is a great agricultural State, there was borrowed \$190,000 under this system. In Delaware, \$9,600; in the State of Illinois, one of the greatest agricultural States in the Union, only \$186,000; in the State of Ohio, only \$33,000; in the State of Iowa, only \$96,000. In other words, the certainty has been realized that where men were paying a higher rate of interest for some reason, either because the crops were not stabilized or because the financial conditions had not become sufficiently settled so that the borrower could command a reasonable rate of interest there has been a turning to this system, and there will be a continuance of that turning until we have loaned, as I have stated, a very large amount of money unless a check is put on these loans in some such manner as I have indicated in this amendment.

Moreover, I want to say now that I am also going to offer an amendment, and I should like the attention of the Senator from New Hampshire [Mr. Hollis]. I am going to offer an amendment striking out the \$100,000,000 underwriting which it is proposed in the bill which covers the year commencing the 1st day of next July. It does seem to me if it becomes necessary Congress will be in session sufficiently long to make suitable provision for the Farm Loan Board, and they will stand warned in my judgment that Congress is not going to without protest, in times when we are straining every nerve to maintain our financial integrity, provide money for such purposes as this.

Mr. NELSON. Will the Senator yield to me?

Mr. WEEKS. I yield.

Mr. NELSON. Would it not be a good plan, to carry out the suggestion of the Senator, to prohibit the farm-loan banks from approving applications for loans beyond the amount of money they have on hand to loan?

Mr. WEEKS. Mr. President, that might accord with my idea, but I do not personally want to do anything that harms the system which has been established by Congress and which has not been given a sufficiently long test. If after two or three or four years the system does not work, well, of course, the law ought to be repealed. In the meantime farmers have been encouraged to think that they were going to get this money, and if they are going to use it, and they demonstrate they are going to use it, to increase their planting, which would be the only way they could use it under the provisions of this amendment, then it seems to me we might be justified in making the loans which have been applied for by them.

The Senator from Nebraska rose. Did he wish to ask me a question?

Mr. NORRIS. If the Senator will yield to me, I want to get light upon his amendment. I heard it read, of course, but I hardly got its full import. I was going to ask him if the object of it was to curtail the business; in other words, to put up a sort of a signboard to the Farm Loan Board that they ought to confine their operations within the limitation of the loans that they had practically agreed to make. As I take it, the Senator does not want to interfere with the operation of the board, so far as they have practically agreed to make loans. Is that the object of the amendment?

Mr. WEEKS. The object of the amendment is to provide that no loans additional to those which have been promised shall be made as long as the Government advances money on these bonds, except where the money is to be used to increase food products and that must be clearly demonstrated to the Farm Loan Board.

Mr. FLETCHER. May I inquire if that is not taken out of the funds arising from proceeds of these bonds? If the banks sell their own bonds they can use that money in accordance with the act without regard to this amendment.

Mr. WEEKS. They can do it after the Government indebtedness has been liquidated.

Mr. WILLIAMS. Mr. President, there is a condition of things in Southern agriculture just at this moment the consideration of which I think is relevant to what has just been said by the Senator from Massachusetts. Cotton has recently been selling at a very high price, ordinary upland staple at twenty-odd cents, other cotton at a higher price. There is a little danger of the South being menaced with the trouble with which it has been menaced in the past and which it has been unable to withstand. Every time cotton goes to a very high price the Southern farmer raising food enough to feed himself and stock begins to put his land in cotton.

Just before this war began, when cotton had gone down to a normal price, and for six months after the war started it went down to a very abnormally low price, food production—beef,

hogs, oats, corn, peas, beans, everything of that sort—was very much encouraged throughout the South. This is an abnormal condition, and I want to take advantage of this situation to warn the Southern farmer and cotton planter against the idea that he can expect permanently to reap from the present prices for cotton.

If the war lasts a year longer he can reap those prices for a year longer, because something like a million or two millions is burned up in high explosives every year in addition to the munitions that are going up into smoke. No matter how much he raises next year, he may be able to dispose of it at a pretty good price.

Mr. President, there are hops, there are various other things that are raised on the farm that are not necessary to feed men with bread or meat. It seems to me just at this time when we are worried to death about munitions and guns and foodstuffs and transportation of men, the Government ought not to do anything even the remotest effect of which might be to deflect industry from either supplying munitions and men to the front or producing food to feed them, when they are at the front, to deflect industry and capital from that sort of thing to something perhaps more profitable to the producer for the time being but less useful to the Nation right now and in the long run dangerous to it.

The South owed, perhaps, as much of its poverty for some years after the war to the high price of cotton and the expectation that it would continue and the deflection of its energies and industry and capital to the production of cotton as it did to the devastations of the war itself, although some of those devastations were most cruel and most uncalled for.

Mr. President, it seems to me for that reason if this amendment is going to be adopted it ought not to be merely farm products. Farm products may be a great many things utterly useless in this emergency, luxuries even in ordinary times, some of them necessities, but at the same time not to be useful in an emergency right now. This amendment ought to be confined to foodstuffs, as I understand it, and not extend to all farm products.

As I understand it, the amendment is merely to put a limitation upon future loans and not upon any loans already contracted for and loans in process of contraction where the Farm Loan Board feels it necessary to consummate the transaction.

Mr. President, I think one of the greatest things that ever happened to this country is the rural-credit act which we passed. I have no sort of fear that it will not prove successful in operation. In fact, the Senator from Massachusetts hit upon the real trouble a moment ago. If we had gone along in a state of peace, as we expected to go at the time it was passed, and Government bonds had been 3 per cent bonds, these bonds would have floated all right. Now, in proportion as Government bonds go up of course we have to carry these bonds up, too.

It seems to me one of the most appropriate remedies for the situation is to authorize the increase of the rate of interest on farm-loan bonds up to a point where they shall at all events be one-half per cent above Government bonds. At the time when we originated this system they were a cent and a half above. It seems to me it is very proper and right that an amendment of this sort should be adopted. I am a cotton planter and my people have made a great deal of money out of the last year's crop. God knows they needed it, because they had not made much out of it for some 12 years prior to this situation.

In fact, they had been in a very bad condition and to a great extent what they have made since has been merely to make up what they lost before to pay the amount of debt that they had to incur; but to give a man money at the general expense in order that he may borrow money makes something which is a deflection or subtraction from the popular necessity and bears a sort of speculative aspect to my mind. I therefore think that the amendment offered by the Senator from Massachusetts is, upon the whole, right, although it is an amendment evidently in the interest of his own section of the country and eminently not in the interest of my section.

Mr. WEEKS. I hope the Senator from Mississippi will not consider that I am discussing it from the standpoint of New England.

Mr. WILLIAMS. Oh, no; I did not say that. I said nothing that would bear that construction. I said that the amendment is preeminently in the interest of that section of the country and preeminently not in the interest of mine. That does not grow out of any intention of the Senator from Massachusetts, it grows out of a state of fact. That is the truth.

Mr. SHAFROTH. Mr. President, I agree that the first amendment offered by the Senator from Massachusetts is wise and just, but I do not think the second amendment is. The Senator from Massachusetts has talked of this matter as reaching into the

Treasury. This is not an appropriation in the sense of an expenditure upon the part of the Government. It is simply a loan for the repayment, and not only the repayment but secured by first mortgages upon the lands of the people. It can not be considered as an appropriation in the sense of that which is spent by the Government in the aid of any enterprise. It is simply a loan, and if we are going to lend money to Russia it seems to me it is not out of the way to say that for the purpose of increasing that which is absolutely necessary to the success of the war, namely, to increase the food products of this country we can not go far out of the way by at least loaning our credit to that extent for this necessary purpose.

Mr. WEEKS. Let me call the Senator's attention to the fact that we are not loaning our credit; we are loaning our money.

Mr. SHAFROTH. Well, that is practically what we are doing in the case of Russia.

Mr. WEEKS. We have notified the people of this country that we were going to loan European countries associated with us in military operations some part of the proceeds of the sales of the liberty bonds, but we have not notified the people, and we shall not, that we are going to use some part of that money to loan to citizens of the United States.

Mr. SHAFROTH. Well, Mr. President, the Treasury of the United States gets a large income from the taxes that are imposed, and it is not exactly fair to say that we are going to take the identical money which comes from the sale of the liberty loan bonds and loan it to the farmers, in spite of the representations which have been made. We have as much right to say that we shall take this amount of money out of the excess-profits tax or out of the income tax or out of any other tax which is imposed, because we have more than \$200,000,000 arising from the collection of such taxes.

Mr. WEEKS. Mr. President, will the Senator from Colorado agree that a separate estimate shall be made in the next tax bill to provide money to be used for this purpose?

Mr. SHAFROTH. Oh, Mr. President, we impose many taxes without reference to what they are for. Our general income tax is not imposed with reference to its use in any specific way. Then, again, the assistance which is given for the raising of farm products is as much necessary for the maintenance and successful operation of our military forces as is any loan to any country or any expenditure upon the part of the Government, even for munitions.

Mr. HITCHCOCK. Mr. President—

Mr. SHAFROTH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. Will the Senator permit me to interrupt him there for a moment?

Mr. SHAFROTH. Yes.

Mr. HITCHCOCK. I think the question suggested by the Senator from Massachusetts presents an erroneous illustration or analogy. This is not a proposition to loan the money of the United States or the credit of the United States to any individual, but this is a proposition to lend money to certain banks that are carrying on an important function, just as in past times we have taken money from the Treasury of the United States to lend the banks in the cities to keep the commerce of the country going. It is doing in the country what we have heretofore done in the city, and doing it not for a private purpose but for a public purpose.

Mr. SHAFROTH. Mr. President, there are any number of illustrations of cases where the Government has done similar things. The advances of money which were made by the Government to the Union Pacific and the Central Pacific Railroad Companies were made without any consultation with the people concerning them; and yet it was done on a very large scale, I think \$30,000,000 being advanced in one case and thirty-odd million dollars advanced in the other. It is a question of whether this action is wise under the conditions which exist.

We find that these banks have been a great success; we find that they have had many applications and made many loans. Those loans were made so long as they could sell their bonds; but it was the action of the United States in putting forth a 4-per cent bond which, to a large extent, limited the demand for these bonds.

Mr. President, this is a perfectly safe proposition. The loans that are made are made upon security; they are made upon only a 50 per cent valuation upon the real estate. They are secured not only upon the individual real estate but upon the collective real estate in an entire association; so if one piece of property is overvalued in making a loan, those who are in the enterprise, those who are members of the farm loan association become liable for whatever deficiency exists in that particular case. Therefore I do not see that there is hardly the possibility of a chance of the United States losing on this advance which it is proposed it shall make.

The system has been of great benefit to the farmers. Evidently it encourages them to go into farming on a larger scale, for that has been done. It was stated at the time of the consideration and passage of the farm loan act that men ought to be given a sufficient amount of money to enable them properly to equip their farms, to stock them with live stock, to buy seeds, and in every way to encourage them to prosecute their business. If we are now going to discourage the system, I think it will have a very unfortunate effect with relation to the raising of food products that are so necessary for the successful prosecution of the war.

Mr. McCUMBER. Mr. President, the Senator from Colorado [Mr. SHAFROTH] has just stated that these land banks have been eminently successful; eminently successful, however, he states, in securing a large amount of applications for loans, not eminently successful in placing those loans. The trouble that we are experiencing to-day is due to the inherent defect of the system itself. When this land-bank proposition was before the Senate there were a number of us, who perhaps knew the farming situation of the country reasonably well, who at that time prophesied that a system of political banks, created by politicians and operated by politicians, would not be a success, and that sooner or later the Government would have to support the banks in toto. We further stated that the business men of the country would not buy stock in those banks. Thereupon we were answered, "We will fix that; we will make it incumbent upon the Government to buy the stock of the banks so that they can get started."

Another sop was also held out to the public in the declaration that the Government should get no return, no interest on its deposits; that we would make these banks national depositories without the necessity of paying one penny for the millions which the Government would put into them. We further provided, in order to make a success of these banks, that the bonds which they issued upon the farmers' paper should not be subject to taxation. The Lord knows we did everything on earth to make those banks a success.

They started in business, but the public had no confidence in such a great semipolitical machine; the public did not have the confidence that those in charge would at all times make their loans upon a safe basis. Therefore it was necessary to bolster up the institution with Government credit.

We offered an amendment at that time—a little simple amendment. We asked, if in the finality the Government must stand back of the transactions of these banking institutions with its credit, what was the necessity of the Government going to the expense of establishing and maintaining those banking institutions? If finally the Government must take the loan, what was the necessity of this great complex top-heavy institution that has been foisted upon the American public? Why not let the Government then make the loans directly instead of indirectly? We drafted an amendment which provided for a bureau in the Treasury Department which would be empowered to accept the loans the same as the land banks do; that the bureau would accept them at 5 per cent and issue Government bonds, bearing 4½ per cent, that would be taken by any person in the United States; and that the other half per cent should pay for the entire expense. That meant practically that there would be little if any investment at all on the part of the Government. We should require a few more clerks in the department, but the Government when it had a hundred million of these obligations could turn over the bonds and could cash them immediately and the money would be back in circulation and ready for another loan.

It was stated, however, by the advocates of the bill that that was paternalism; that we did not want to put the Government itself into the business of making loans; and yet in less than a single year after this complex top-heavy proposition has been put into effect they are coming right back and asking the Government practically to buy all of the bonds which the public would not buy, and to buy them in competition with its own bonds—its liberty loan bonds and other bonds which it will have to issue to carry on this war.

I repeat that there was no necessity, first, of taxing the Government \$9,000,000 to buy the stock of these banks; there was no necessity for compelling the Government to lose the interest on the hundreds of millions of dollars that it will deposit in these banks; there was no necessity for compelling the Government to loan another hundred million dollars and take that out of taxation and receive no interest upon it; and there was no necessity of compelling the Government to pay the major portion of the expense of running and operating these banks. So this system is being made to cost the Government millions and hundreds of millions of dollars without any return whatever, and the farmers as a rule in most of the States do not

receive their loans any cheaper than they previously did. In the other sections of the country, if the Government makes the loans through this circumlocution system of banks and other institutions and pays the expenses, it will save the farmer something, but if it saves the farmers of the United States one-half per cent upon their loans the Government is going to go back to the people of the United States for these expenses and call upon them to go into their pockets to make up that 1½ per cent, because if you will make out a table showing exactly what is saved and then make out the table upon the other side showing how much this system is costing the Government it will be found that we are not saving the farmer anything, for what he is saved he pays out of the other pocket.

Mr. HITCHCOCK. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. McCUMBER. I yield, Mr. President.

Mr. HITCHCOCK. Mr. President, the Senator from North Dakota has made the statement that these banks are costing the United States Government a great deal of money. I am sure he is mistaken about that. As a matter of fact, the Government can not deposit, as he says, hundreds of millions of dollars in these banks, for it is limited altogether to \$6,000,000, and it has not deposited that amount. All of the expense of operating these banks, as I recall, falls upon the banks themselves and in no sense upon the Government.

Mr. McCUMBER. Oh, no, Mr. President; you will find, when you get right down to the actual expense and compare what the banks pay and the Government pays that a goodly portion of the expense is paid by the Government itself, and the Government receives no interest whatever or compensation for its stock in these banks nor for its deposits.

Mr. HITCHCOCK. Let me make a suggestion. The Senator is correct, so far as the stock is concerned, and we went into that with our eyes open; but the Government in this case will receive 4½ per cent for what it advances. The bonds must be redeemed by the banks themselves at par and interest when the banks take them back. It is not a permanent loan; the terms of the bill provide that it is only for a temporary purpose. This legislation has been made necessary by the fact that the Government has gone into the market and sucked up the available capital which the banks otherwise would have had at their disposal.

Mr. McCUMBER. Now, let me make another—

Mr. HITCHCOCK. The Government will collect—

Mr. McCUMBER. Right here let me make another prophecy. I have prophesied heretofore that the Government in the end would be called upon to buy these bonds. I now prophesy that the land banks will not buy back these bonds from the Government; on the contrary, it will be found that there has been foisted upon the country a system of buying those bonds and repurchasing those bonds, and, as has already been stated by the Senator from Massachusetts [Mr. WEEKS], before we get through we will have the Government buying all of the bonds that are to be issued upon the farmers' paper, while it is keeping in existence this vast number of banks and subbanks and associations of different kinds at an enormous and unnecessary expense.

Mr. HITCHCOCK. The Senator is in error when he says this system is an expense to the Government; whatever expense there is is borne by the banks themselves, and the fund from which they pay it represents the difference between the rate at which they borrow their money and the rate of interest they receive from the farmers themselves. It is not the Government that is burdened.

Mr. McCUMBER. Certainly, I understand that if the Government buys these bonds it takes with the bonds the security upon which the bonds are issued; that the Government necessarily collects and receives the interest paid upon that security, and to that extent it is an investment by the Government. What I am complaining of is that, taking the entire cost to the Government of the operation, the running of these banks and the relieving of all of these bonds, which may run up into the billions, from Federal taxation of any character the Government in the end will lose more than the farmer will secure in benefits.

Mr. HITCHCOCK. The Senator recalls, of course, the fact that the Government has deposited millions upon millions of dollars at different times in the commercial banks of the country.

Mr. McCUMBER. Certainly.

Mr. HITCHCOCK. And it either receives no interest at all upon it or it only receives 2 per cent, as I recall.

Mr. McCUMBER. Yes.

Mr. HITCHCOCK. Now, this is a case in which the Government is to receive 4½ per cent for the temporary purchase of

these bonds, and I can not see how it can possibly be construed as a raid upon the Treasury or as a burden upon the Government.

Mr. McCUMBER. I do not say that it is a raid upon the Treasury. The Government purchases that which the land banks are unable to float. Those banks were created, with their great amount of machinery, for the very purpose of floating bonds of this character. They are unable to do it; the Government has to do it for them; the Government has to issue the bonds at 4½ per cent, free from taxation, while at the same time the Government is borrowing money now, we will say, at 4 per cent on bonds which are subject to at least two different characters of taxation. Those things can not work together; one destroys the other. If the Government is going to get these bonds, the Government may have to sell them; and if it does sell the bonds, then investors will take them with the Government guaranty, which it must give to them, in preference to taking a bond at 4 per cent that is subject to excess-profits taxation. Therefore it is buying something which it may have to put on the market again that will come in competition with its own bonds.

Mr. HITCHCOCK. It is nominally competition, but it is a drop in the bucket compared with the great financial operations of the United States.

Mr. McCUMBER. A drop in the bucket to-day, yes; but it is \$200,000,000 for the next two years and \$4,000,000,000 before we get through, if we accept the applications as rapidly as they can come in. There is no check upon these banks in accepting applications and then calling upon the Government to purchase the bonds issued upon them. Of course, the banks want to do business, and we will have them in billions in a very short time.

Mr. HITCHCOCK. Of course the Senator realizes that there will be, after the passage of this bill, a check upon the banks, and not only the check proposed by this bill but a check arising from the circumstances that hereafter they will be compelled probably to raise their rate of interest if they desire to do any considerable amount of business.

Mr. McCUMBER. A simple little provision which would have allowed the Government in the first instance to have issued bonds—Government bonds—upon the farmers' paper would have saved all of this trouble, would have produced the money immediately, and we could have taken up these applications almost as rapidly as they came in. I repeat that if you will take the trouble to find out just exactly what this banking system is costing the Government, including what it loses upon the money that it is depositing and upon the money that it is paying out for the banks and in other respects, it will be found that it is not saving the farmer any more than what it is losing, and therefore it must ask somebody else to meet the bill.

Mr. SMOOT rose.

Mr. FLETCHER. May I suggest to the Senator from North Dakota before the Senator from Utah proceeds, that the law distinctly provides that not exceeding 1 per cent in excess of the interest on the bonds can be charged to borrowers for the purpose of covering the expenses of administration? The Farm Loan Board has estimated that they can cover that expense with one-half of 1 per cent, and they have sold their bonds on the basis and made loans to the farmers on the basis that one-half of 1 per cent would cover the expense of administration. They can charge but 1 per cent more than the amount they pay on their bonds; so that the farmer is obliged to get his money at not exceeding 1 per cent above the interest rate which the bonds bear.

Mr. McCUMBER. Except as the farmer must in addition to that pay the taxes either directly or indirectly; and taxes must make up the amount which the Government loses. Therefore he is not making what he would appear to be saving upon the face of the proposition.

Mr. SMOOT. Mr. President, I should like to ask the Senator having the bill in charge whether he expects to get a vote upon the bill to-night?

Mr. HOLLIS. I think so. I do not know of any disposition to delay it. I think nearly every Senator who wishes to speak has spoken, and I hope for action to-night.

Mr. SMOOT. I do not want to delay a vote upon the bill, I will say to the Senator, but if the bill was going over, I would very much prefer to say what I have to say at some other time. There are few Senators present—

Mr. HOLLIS. I understand action is being taken on a similar measure in the other House, and it is hoped to get the bill passed this afternoon through both Houses. In the other body they have a special rule to vote upon it this afternoon.

Mr. SMOOT. Are we to substitute the House bill for the Senate bill, or is the House to substitute our bill for theirs?

Mr. HOLLIS. Whichever is passed first will be substituted for the other.

Mr. SMOOT. If that is the case, I will have very little to say this afternoon.

At the last session of Congress I made the statement that the appropriations that were made during that session had not been scrutinized by myself nor by other members of the Appropriations Committee as carefully as appropriations are ordinarily scrutinized. They were the initial appropriations for carrying on the war and no one gave especial attention to the amounts asked for by the different departments of the Government. I also stated that at this session of Congress I not only should feel it to be my duty but I believed it to be the duty of every Senator before voting for an appropriation to know for what the money was to be expended.

The Senator from Colorado [Mr. SHAFROTH] has said that this is not an appropriation. Why, Mr. President, the bill itself does not appropriate \$200,000,000, but the Senator from Colorado is a member of the Appropriations Committee and he knows that the Secretary of the Treasury will send to the House of Representatives and to the Senate an estimate to cover the amount provided for in this bill, and we have got to appropriate the money for it or authorize its expenditure whenever called for for the purpose of buying bonds.

Mr. SHAFROTH. Of course, Mr. President, we will have security worth the amount to be paid, which is different from an appropriation for cannon or munitions or for ordinary running expenses; in other words, it is not such a thing as a river and harbor appropriation bill, or anything of that kind; we get security, and the security is good for the money we advance.

Mr. SMOOT. No one disputes that; but there are times in the history of men, and even in the history of nations, when they are in no financial condition whatever to lend money, no matter what security they get; and the United States, Mr. President, if the war continues a couple of years, will be in no position, nor is it in a position to-day, to be hunting loans throughout the United States. Do the people of this country know that from the establishment of our Government 128 years ago all the appropriations that have been made by every Congress from that day down to and including the last session of the Sixty-fourth Congress amounted to but a little over \$26,000,000,000; and yet at the last special session of Congress we appropriated over \$21,000,000,000, or within \$5,000,000,000 of the amount of all the appropriations made by this Government since its organization. There is no question that our appropriations at this session of Congress for the next fiscal year are going to be just as large as they were at the last session; and there is no telling how much we have got to advance to our allies. I have been often asked how much that will amount to. All I can say is that it will amount to whatever the cost of the supplies our allies purchase from us, no more and no less, for none of them are in a position to pay us in gold a sufficient amount to cover the balance of trade between us and them.

As far as I am concerned, I want to appropriate every dollar that is necessary to pay the running expenses of this Government in conducting the war upon the highest basis of efficiency; but in doing so, Mr. President, I want to call attention to the fact that we are not securing from any part of the world gold for the goods that we are sending abroad. The currency that we shall issue is resting upon but \$3,000,000,000 of gold in this country; and when we stop to think that there is only about twelve billions in all the world, and all of the currency that is being issued is based upon that gold, I think every Senator will realize that the United States Government is in no position to be hunting loans from any sources whatever.

I recognize the good that is being done through the organization of the farm-loan banks. I have no objection to their carrying out all of the provisions of the law, but I know that when we start to purchase the mortgages as provided in this bill and ask for \$200,000,000 at this time it will be only the beginning; and we might just as well make up our minds that we are going to continue the same practice unless there is some restriction placed in this bill now in the way of an amendment. By the way, the first amendment that is offered by the Senator from Massachusetts I think ought to be adopted as a part of this bill.

Mr. HOLLIS. Mr. President, I hope the Senator does not misunderstand. I collaborated with the Senator from Massachusetts [Mr. WEEKS] in drawing that amendment, and when he offers it I shall accept it. I think it ought to be accepted. I do not think we ought to be loaning the funds of the Government in order to refund anybody's loans, and I hope the amendment will be adopted. I have no doubt it will be.

Mr. SMOOT. I am very glad to hear the Senator make that statement. There is a safeguard in that, as far as it goes. I

want to ask the Senator now, before I say anything more—and perhaps I will not say it at all if the answer I receive is satisfactory—this question:

Does the Senator really believe that it will take \$200,000,000 to cover the loans that have already been promised by the land banks of the country?

Mr. HOLLIS. I do not. In the first place, it is not the intention of the Farm Loan Board to spend anywhere near \$200,000,000. They feel obliged to take care of the loans that have been approved. After that they will not permit any more refunding operations out of any money that comes from the Treasury. They feel, moreover, that with this \$200,000,000 underwritten by the Treasury they will be able to sell the bonds perfectly well, and that the men who have been holding off, wanting to buy the bonds, but expecting they would be marked down as all other bonds have been, will then come into the market and buy them. It is their idea that they will spend a comparatively small amount of this appropriation, but they want it large enough so that investors will see that the Government is there to do it if private investors do not.

Mr. SMOOT. Mr. President, I am fearful that as long as we make a direct appropriation, which, of course, we will have to do under the provisions of this law, private investors from now on will have a chance of investing their money at a higher rate of interest with just as good security as that which is offered them by these farm mortgages. I am fearful that they are not going to invest in these bonds if the Government of the United States will take them; and I am fearful that if we make the appropriations of \$200,000,000 now, every dollar will be required in purchasing these mortgages from the banks that now hold them. Will the Senator, upon his statement, be content to reduce this amount, say, one-half?

Mr. HOLLIS. This recommendation came from the Treasury Department. The Secretary of the Treasury is a member of the Farm Loan Board, and he has asked for this amount. Now, he realized that it is a burden. He does not consider that it is too large, because he thinks it will come back. He is very reluctant to assume it, but he thinks in the present emergency, with the need for food and encouragement to farmers, that it ought to be done, and he has asked for this amount, and I see no reason to reduce it. I hope the appropriation will be made in this amount. I have the assurance of the Secretary of the Treasury and of the Farm Loan Board that they do not intend to purchase anywhere near this amount, but they do want it there. If it had been \$50,000,000, they would have said, "Well, that will soon be used up; we will wait." That is what they told the committee. Beyond that, I can not tell the Senator.

Mr. SMOOT. Of course, I hope the Senator does not think that I believe for a moment that these advances by the Government are going to be lost. I have never expressed such an opinion, nor do I believe it. What I am trying to get at, Mr. President, is this:

I hope the American people will not be distrustful over Congress; but when the American people see Congress appropriating money by the hundreds of millions of dollars with hardly any discussion whatever I feel that they are going to begin to have a lack of confidence in our judgment and will begin to say, "Well, where on earth is it going to end? If this thing is going to continue, I think the best thing for me to do is to get what little I have into money and even withdraw it from circulation."

We have got to be careful and we have got to maintain the confidence of the people of this country in order to carry on the activities of the Government during this war. I do believe that it would be much better to accept an amendment of \$50,000,000 for each year, or a total of \$100,000,000, than to have this large amount admittedly not to be expended go out to the country.

You can not fool the bankers. They will know exactly what is going to happen. They have every advantage in the world to receive that information. If this were \$500,000,000, I do not believe it would make one particle of difference as to the investment in the mortgages by the banks, but I believe it would have a bad effect upon the American people who are called upon not only to do their bit but to sacrifice some of the best securities they have ever owned in order to buy the liberty bonds that have got to be sold in order to pay the expenses of the Government.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator to ask him a question?

Mr. SMOOT. Certainly.

Mr. TOWNSEND. I know the Senator has given a good deal of attention to this matter; and aside from the arguments that have been presented, there are two things that have given me no little disturbance. The Senator seems to admit that every-

thing is all right. I should like to know if he has information on these two subjects:

First, is this money that is being borrowed as a whole being used to increase the food supply of the country? And, second, is the Senator convinced, has he information which warrants him in the conviction that this money is loaned on the basis of not to exceed 50 per cent of the value of the property?

Mr. SMOOT. Mr. President, I want to say, in the first place, that what information I can gather leads me to believe that the greater part of these loans will be for the purpose of taking up loans already in existence, made by farmers at a higher rate of interest; so all that it could possibly do would be to save the farmer the difference between what he is paying in interest to-day and what he will pay under the provisions of the law. I will say to the Senator, however, that there are some cases, and a number of them, where applications have been made for loans, and more will be made, for the improvement of farms; but the most of the money is for the taking up of loans that are already made and are carrying a higher rate of interest than that which is provided for in the existing law.

Mr. GALLINGER. Mr. President, if the Senator will permit me, does he think there will be any very great addition to the products of the farms unless they can get more labor than they can get now?

Mr. SMOOT. Of course that is the greatest question the American people have to meet. In that connection I want to say that I believe we shall have to follow the practice of England and of France and use the Army to assist in harvesting the crops of this country when the harvest time is on the coming year. I know that in the West even this year it has been almost impossible to secure help at any price to dig beets, to pick the fruit, or to harvest the crops, and I know, Mr. President, that there are many hundreds of thousands, if not millions, of dollars of crops in the West that have failed of being harvested and gathered because they could not pay the wage that was demanded in some instances, and in others it was absolutely impossible to secure help sufficient.

Mr. McCUMBER. Mr. President, may I ask the Senator a question by way of making a suggestion along that line?

Mr. SMOOT. Yes.

Mr. McCUMBER. I received the other day a letter from Idaho, from a gentleman I know very well, a business man, in which he stated that hundreds of thousands of bushels of potatoes rotted in the ground, and fruit rotted on the ground, not because there was not sufficient labor but because the men were being paid from seventeen to twenty dollars a day to pick up and sack potatoes, and they struck for twenty and twenty-four dollars a day, and the result was an enormous loss; and that the same laborers, evidently of the I. W. W. type, were lying around four days a week doing nothing.

Mr. NELSON. Mr. President, I should like to inquire of the two Senators if the condition that they have described can be charged to the farm loan banks? And if it can not, I should like to ask what bearing the farm loan banks have on the scarcity of labor in this country?

Mr. SMOOT. Mr. President, I was asked a question by the Senator from New Hampshire. I answered that question, which I think I had a perfect right to do. I do not want the Senator from Minnesota to think that I was casting any reflections upon the principles involved in the Federal farm loan bank.

Mr. NELSON. Will the Senator permit me a question?

Mr. SMOOT. Certainly.

Mr. NELSON. The Senator is talking about expenses. Suppose we got some of those German prisoners of war over here to work on our farms. That would cost us some money, but would the Senator be opposed to it on that ground?

Mr. SMOOT. I think, Mr. President, if we had some of those German prisoners over here they would not have a say as to what they should receive per day, and I do not think the American people would pay them more than they actually earned. I will say the German interns are receiving the best of care and in many cases living better than American citizens. The German prisoners we now have are not compelled to work.

Mr. McCUMBER. Will we not have to catch him first?

Mr. SMOOT. We have a lot of them at the present time.

Mr. McCUMBER. I do not know how we are going to bring them over here when we have not the ships and have no possibility of getting them. Of course that is not pertinent to the question, but the Senator from Minnesota brought it up.

Mr. SMOOT. I am speaking now of the interned Germans that we already have in this country.

Mr. President, I do not want to take the time of the Senate further. There were a number of questions that I wanted to discuss in relation to this bill; but it is getting late, and I know that many of the Senators are going to leave the city to-night. I

have no inclination whatever to prevent this bill from passing and becoming a law before adjournment this evening, if possible. I shall vote for the proposed amendments and then for the bill.

Mr. NELSON. Mr. President, I am somewhat surprised at the peculiar tack taken by the Senator from North Dakota [Mr. McCUMBER] and the Senator from Utah [Mr. Smoot] in this matter. To my mind, the farmers of this country, the food-producing element of the country, are as much our allies in this war as our allies over in Europe; and in order to be successful I can not see why we should make any distinction between helping our allies here and helping our allies over in Europe.

I have before me here a sheet of the loans applied for and allowed by these 12 farm loan banks; and what do I find? I find that the greatest number of applications come from the grain-raising, the agricultural States. The State of North Dakota, from which the Senator comes, is one of the greatest applicants. It has applied for over \$12,000,000 in loans. It has been allowed \$7,000,000, and only \$1,825,000 have been closed up and finished. Take the State of California—\$15,000,000 have been applied for, and in the great State of Montana \$11,000,000. These are our great food-producing States, and it shows the great need of the farmers for assistance. We have been preaching food conservation for more than a year and urging our farmers in every possible way to increase their production; but mere academic help is of little consequence.

What are the conditions? The conditions among our farmers are, in many localities, that they have been bled by exorbitant interest; they have paid unusually high interest; they have come to the Government to get interest at a more reasonable rate, and we have started in in a systematic way to help them. If we want to encourage our farmers in producing more food products in this country during the pendency of the war, here is the opportunity.

A large share of our farm loans heretofore have come from the East, from the insurance companies and from the savings banks. Owing to the fact that these banks have been inclined to help the Government in taking up the liberty loan, they are calling in their mortgages. I have here a letter from the vice president of a company in Indianapolis, the Wells-Dickey Co., which has been engaged on an extensive scale for years in making farm loans in the Northwest. They have been in the habit of taking farm mortgages and then selling them to the savings banks and the insurance companies of the East; but what are the conditions now?

Here is what this gentleman says:

Practically all of the mortgage dealers find that they are having an increasingly large number of investors in farm mortgages diverting at maturity these funds to other securities; also a heavy demand from investors to repurchase loans sold. I think it has been the almost universal custom of mortgage houses to repurchase loans sold by them at a nominal discount, sufficient to cover the cost of reselling. In these times when all securities are difficult to sell except those tax-exempt, it is likely to become a serious burden to mortgage houses if they continue their former policy.

Now, listen to this sentence:

The New England savings banks, which have always been heavy investors in farm mortgages, I am reliably informed, are not buying any, and nearly all are calling in maturing loans. This removes a vast amount of money for the financing of the farmers.

As a matter of fact—and it came to my knowledge before I received this letter—these eastern money lenders, by which I mean the savings banks and the life and fire insurance companies that have been investing their money in farm mortgages in the West, are, for reasons of their own, calling in these loans. They refuse to renew them and have refused to grant new loans. There our farmers are stranded, so to speak, in many cases.

Mr. NORRIS. Mr. President, I should like to call the Senator's attention also to the fact that there are a good many loan companies in foreign countries buying the farm loans and have been in the past in England, for instance, and, of course, they will not make any new loans and will not extend the old loans. They must have their money.

Mr. NELSON. I will read from this letter, in support of the statement of the Senator, another paragraph:

About a year and a half ago the English Government ordered the English and Scottish loan companies operating in the United States to withdraw the principal invested in farm loans as it matured.

That tallies with what the Senator from Nebraska has stated. Such is the condition of our farmers. Their mortgages are due. They have got to borrow money from some source. The old source is being cut off, the savings-bank and insurance money from the East, and it leaves them to rely on what little local money they can get in their own neighborhood.

Then, more than that, in some of these Western States the farmers have been charged an exorbitant rate of interest. I

think in the State of North Dakota the farmers have been charged from 7 to 8 per cent, and in some cases even 10 per cent, on their real-estate loans. I know the interest has been so high in North Dakota that the banks in the neighborhood where I live, instead of investing their money in mill paper and in wheat paper, as they were accustomed to do, have found the best investment to be to go out and buy Dakota mortgages; and the same condition exists in Montana and in California.

I was very much surprised at the criticism which the Senator from North Dakota [Mr. McCUMBER] made of the system. Of course it is not a perfect system, and I was a little doubtful of it myself. It was with some reluctance in the first instance that I agreed to some of its provisions; but it is not open to the criticism and to the gloomy forebodings indicated by the Senator from North Dakota. It provides for the organization of farm-loan associations. Every farmer who gets a loan must advance 5 per cent in cash on each \$100 of his loan, and the association is jointly liable for all the loans and mortgages of the association; and then the expenses that the Senator speaks about, all the expenses of the system, so far as I know outside of the Federal Board here in Washington, all the expenses of the several local banks, are paid by the banks themselves out of their revenues. Am I not correct? I appeal to the Senator from New Hampshire.

Mr. HOLLIS. All local expenses are paid in that way except the compensation of the land-bank appraisers. It was thought best to have them Government officials, so that they would not be subject to local influences. Their salaries are paid by the Government.

Mr. NELSON. I know something about the operation. I did not think this law would work much in the State of Minnesota. It is a large State from north to south. In the southern part of our State farmers were borrowing money at the rate of from 5 to 5½ per cent. In the middle part of the State, where I live, they were borrowing money for 6 per cent. In the northern part of the State—and it is a good part of our State—they were paying from 7 to 8 per cent and even in some cases 10 per cent; and I notice that the great amount of the applications for loans have come from that portion of the State that we call the Red River Valley and the country contiguous to it.

Mr. SHAFROTH. Mr. President, may I ask the Senator whether it is not a fact that the establishment of this low rate by the farm-loan banks has modified and decreased the rates of persons who are lending money on private account to the farmers?

Mr. NELSON. Why, it is the greatest blessing. The reduction that has been effected to these few men who have secured loans from the Government is a mere bagatelle compared with the good that the system has wrought throughout the country. The effect of the system has been, in the State of Minnesota, that private parties loaning money have had to approximate the Government level, and our farmers get money now at a much lower rate than they ever did before. It has had the same effect that we find sometimes in the case of river and harbor improvements. You oftentimes hear it said that the improvement of this river or this artery of navigation does not produce much result; that there is not much navigation; but if you will scan the thing closely, the great benefit is that it operates as a regulator of the rates of the railroads. So, Senators, the greatest blessing that this system has conferred upon the farmers of this country has been in the fact that it is to a large extent a regulator of the rates that the farmers have to pay for their real-estate loans.

Mr. FLETCHER. Mr. President, may I ask the Senator if he does not believe that if it had not been for the war conditions there would not have been the slightest difficulty in the banks selling the bonds at 4½ per cent?

Mr. NELSON. Certainly.

Mr. FLETCHER. And furnished all of the money that was needed for the full operation of the system through the sale of their own bonds?

Mr. NELSON. Certainly. I have no doubt at all that but for the coming on of the war and the necessity of selling such a volume of Government bonds the farm-loan bonds would have been taken and the Government would not have to advance any more money. What we have advanced is \$9,000,000 in all. The Senator from North Dakota speaks of the hundreds of millions we have advanced. We have advanced from five to nine million dollars so far to these banks, in addition to the expense of inaugurating the system. I do not know just how much that amounts to, but it can not be over a million dollars, in my opinion.

Mr. President, I could say more on this subject. My heart is in it. I believe that this is a great relief to the farmers of this country, and our Government should at least treat them as well

as we treat our allies in Europe. We furnished them money on their bonds. We loaned them money to carry on the war. Why should we not loan our farmers here, who are raising the food products of this country, money to make the war successful?

Mr. President, I trust that this legislation will become a law. I know it will do much good, and I have faith that in time the Government will not lose a penny, but it will come back to us in a tenfold measure in one way or another.

Mr. McCUMBER obtained the floor.

Mr. HOLLIS. I ask unanimous consent that the amendment offered by the Senator from Massachusetts may be adopted.

Mr. McCUMBER. I have the floor at present. I have been recognized.

Mr. HOLLIS. I beg the Senator's pardon.

Mr. McCUMBER. If the Senator wishes to have me yield to him, I shall be glad to do so. If not, I will make my statement very briefly.

I am not in the habit myself of creating straw men for the purpose of knocking them down. I wish that the Senator from Minnesota when he makes his criticisms would be governed somewhat by the same principle. The Senator has attempted to assume that I would be opposed to lowering this interest and reducing it as far as possible. All the Senator needs to do is to go back to about a year and a half or two years ago and he will find that the act provides for a 5 per cent charge to the farmers. That is followed up now by an increase to 5½ per cent, more than the interest paid in many of the Eastern States to-day.

I believe a simple provision could be made providing for only 4½ per cent to the farmer and a 4 per cent Government bond to be issued upon that. Therefore, so far as that is concerned, I will have to my credit a difference of 1½ per cent in favor of my proposition and of my argument.

Mr. President, what I have criticized has been this, and I want the Senator from Minnesota to understand it: I criticize a system that has been made so expensive. If the Government wants to loan and to see that the farmer gets the loan guaranteed at 5½ per cent, I do not want to see the Government lose the 1½ per cent itself. I do not want to see the Government paying to a system of banks that are not doing the work but are calling upon the Government to perform the functions for which they were created and then have the Government pay the expenses. We may differ entirely upon the method by which we are to secure the best benefits.

Mr. President, I am going to vote for this amendment. I am going to vote and I intend to vote at all times to grant to the farmers who have made their applications the sum of money necessary to cover those applications. But while I do it, I am not going to stand here and excuse a system which has not worked well and which has been altogether too expensive to the American people.

The Senator says there have been but \$9,000,000 expended by the Government upon this system. Let the Senator go back over the appropriation bills and ascertain whether there have been only \$9,000,000 expended. Let him see what has been appropriated each year for these banks and then let him compute the saving in the interest and say whether or not it has been too expensive a measure by the results which it is securing.

But I favor the bill because we have got the system, having had it foisted upon us. Although it is top-heavy, although it is expensive, although it is tied around with red tape and operates as a nuisance in the matter of securing the benefits under it, still we, of course, will get some good from it.

I think when the Senator from Minnesota finally investigates this matter he will find he is in error when he states that we have paid but \$9,000,000 to support these banks.

Mr. WEEKS. I offer the amendment.

Mr. HOLLIS. I ask that the amendment be read.

The SECRETARY. On page 2, after line 13, insert the following:

Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased, no loans in addition to those now approved shall be made by Federal land banks except under special rules prescribed by the Federal Farm Loan Board limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing food products.

Mr. HOLLIS. I ask unanimous consent that the amendment be adopted.

Mr. GRONNA. I ask the Senator from Massachusetts to explain the effect his amendment would have.

Mr. WEEKS. The effect would be that the Government would buy bonds up to the amount of money that has been promised, and after that loans shall not be made unless it is demonstrated to the Farm Loan Board that the additional loans shall be used to increase the food products.

Mr. GRONNA. I wish to ask the Senator a further question. The Senator uses the word "promised." Does he mean by that

the amount of loans approved by the Federal farm-loan banks or does he mean promised by local associations?

Mr. WEEKS. I mean that loans shall not be made, provided the Federal Government furnishes the money, unless it is demonstrated that the money shall be used to increase food products.

Mr. GRONNA. I am afraid I did not make myself understood. As I heard the amendment read I assume that the Senator's amendment provides that no loans except the applications already approved by the farm loan banks shall be made.

Mr. WEEKS. It means, Mr. President, that the Farm Loan Board of Washington shall prescribe rules which shall cover the requirements of this amendment; that is to say, that the farm loan banks shall not make loans as long as the Government is advancing the money, except where it is demonstrated that it will mean an increase in food products.

Mr. GRONNA. Will it not be left to the Farm Loan Board to interpret the law to see whether or not it is being used for that purpose?

Mr. WEEKS. The Farm Loan Board will make rules to govern the action of the farm loan banks.

Mr. GRONNA. If it is satisfactory to the Senator from New Hampshire, I shall not object.

Mr. HOLLIS. If the Senator had been here, he would have been convinced that it is satisfactory to the friends of the bill.

Mr. McCUMBER. I ask that the amendment be read again. The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). The amendment will be again read.

The SECRETARY. On page 2, after line 13, insert:

Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased no loans in addition to those now approved shall be made by Federal land banks except under special rules prescribed by the Federal Farm Loan Board, limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing food products.

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. STONE. Mr. President, I am following the Senator from New Hampshire, but I am curious about the amendment to know why all these loans are not made at all times and under all circumstances with the ultimate purpose of increasing food production.

Mr. WEEKS. Most of the loans are of a different character. Most of the loans are made because a man is paying 7 per cent for money now, and he can borrow it in this way at 5 per cent. He is simply refunding his indebtedness on a lower basis.

Mr. McCUMBER. May I ask the Senator a question? Suppose a farmer has every acre of the land on which the loan is made that is available under cultivation and there is a mortgage upon it bearing 8 per cent interest. He can not cultivate any more simply because he has no more to cultivate. Would the amendment of the Senator from Massachusetts prevent the man from securing a new loan at a lower rate of interest?

Mr. WEEKS. It would, as long as the Government is advancing the money.

Mr. McCUMBER. Then I think we ought to vote against the amendment.

Mr. WEEKS. The Senator has the privilege, of course.

Mr. McCUMBER. Of course, but it is only one vote.

Mr. GRONNA. As I understand the effect of the Senator's amendment, above the amount approved by the Federal land banks—

Mr. WEEKS. Already.

Mr. GRONNA. Already approved, no further loans can be made unless they are new loans. In other words, if the farmer owes a mortgage debt he can not get the money from the Government to refund it, even though his present loan may be foreclosed upon. Is not that the effect of the amendment?

Mr. WEEKS. If the man demonstrates that it will increase food products by refunding the loan he can get the money. If he can not do that he can not get it.

Mr. GRONNA. Will the Senator answer my question, if I can make myself understood? Is it not true that the effect of the Senator's amendment is that it will prevent a renewal or refunding of loans? In other words, a loan made by a farmer that is past due or may become due can not be refunded, but the farmer who has no loan upon his land may secure a loan. Is not that the effect of the amendment?

Mr. WEEKS. That does not require any new money. That is simply a refunding of a loan. I do not think that the Government ought to be advancing money to refund loans simply because the farmer can borrow it on a lower basis.

Mr. GRONNA. Of course, that may be the Senator's opinion, but I think I am right in assuming that this amendment will prevent the refunding of loans which are now due or which may become due in the near future.

Mr. WEEKS. It will if the Government advances the money. Mr. FLETCHER. That is exactly what it does do and what it is intended to do. The only qualification is where the money is coming from the Treasury. The banks can sell their bonds and do it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. WEEKS].

The amendment was agreed to.

Mr. WEEKS. I offer another amendment. In line 9, page 1, after the words "nineteen hundred and eighteen," I move to strike out the rest of that line and line 10 down to and including the word "respectively"; and in line 4, page 2, after the figures "\$100,000,000," I move to strike out the words "in either of such fiscal year."

The effect of this amendment would be to underwrite to the extent of \$100,000,000 loans made during this fiscal year, but not to continue the underwriting after the 30th of next June. I do not see any real benefits to be gained by so doing. If it is decided later in the year that it is desirable to increase the underwriting, Congress can consider that proposition as a separate measure; but to underwrite into another year this method of loans seems to me to be unwise and imprudent, and a financial policy that is going to deter a great many people from investing in liberty bonds.

Mr. NELSON. It is to continue the same practice to the end of the fiscal year.

Mr. WEEKS. Yes. The bill also proposes it for the fiscal year 1919.

Mr. NELSON. Your amendment limits it to the fiscal year 1918?

Mr. WEEKS. To the fiscal year 1918.

Mr. HOLLIS. The amendment now presented by the Senator from Massachusetts cuts down underwriting, as he states, just one-half. I hope it will be rejected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. WEEKS].

The amendment was agreed to.

The PRESIDING OFFICER. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

Mr. GRONNA. Mr. President, I shall not oppose the passage of the bill in its present form. I want to say, however, I am quite sure that the law, so far as its benefit to the farmer is concerned, will be practically nullified.

I had hoped, Mr. President, that after it was demonstrated to the country that this law was a real and a substantial benefit not only to the farmers but to the business men of the country we would allow at least a limited time to let it be worked out.

I can readily see, Mr. President, that already some of those who control the financial affairs of this country are becoming alarmed over the success that has been made by those who have administered this law. There is not a Senator, there is not a man in this country, who can justify his position and maintain that this system has broken down. It may be asserted by Senators, it may be said by financial men, but it can not be truthfully said, that it has broken down.

As a banker in a small way, I know that the law has already been beneficial not only to the farmers of my country but to the business men of the country. If we had been permitted to pass the amendment in its original form, it would have stabilized the value of the farm-loan bonds. I realize how anxious the people on the exchanges are to depress the value of those bonds. Farm-loan bonds based upon 30 or 40 per cent of the value of the land, to say nothing of the improvements, are as good as Government bonds. Is there anyone here who will deny that those bonds, backed, as they are, by these associations, are not good? In my judgment, it is the best security offered on the market to-day.

But as every man knows we have been compelled to make drives for liberty bonds, and rightly we have done so. We have the patriotism back of the liberty bonds, and, of course, we realize that they are perfectly good, but no special effort has been made to sell farm loan bonds. But is there not a disposition among the exchanges of this country to depress the value of liberty bonds? Why should a bond underwritten by more than 100,000,000 people, with a property value of more than \$250,000,000,000, be thrown upon the market and be said to be worth less than par? Is it not unpatriotic to attempt to lower the value of those bonds, especially during the war?

So I am not surprised, Mr. President, to hear it said that these farm loan bonds are not worth par. I believe they are worth 100 cents on the dollar, and they are worth more with the present rate of interest that is paid.

I shall not vote against the bill, although the amendments offered by the Senator from Massachusetts are detrimental to

the operation and the administration of this proposed law.

I am very sorry to see these amendments, detrimental as they are, come from Members on this side of the Chamber. Mr. President, I regret exceedingly that these amendments have been offered, and I regret more that they have been accepted by those in charge of the bill. I believe that we have votes enough here to pass this bill in its original form as it was asked by the Secretary of the Treasury, and as it was asked by the Federal Farm Loan Board. I am opposed to the amendments; but I shall not delay the Senate in passing the measure. I realize that this bill when passed will allow the Government to buy bonds to the amount of the applications approved by the Federal farm-loan banks; but it will, in my judgment, do a great deal of harm to the Federal farm-loan law, its operation, and to the benefit that it otherwise would have been to the people of the country.

Mr. HOLLIS. Mr. President, I ask to have one correction made. In the eleventh line, on the second page, the word "expiration" is used in the phrase "the expiration of the pending war." I ask to have that changed so as to read "the termination of the pending war."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 11, it is proposed to strike out the word "expiration" and insert the word "termination."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, and it was thereupon signed by the Vice President.

COMMITTEE ON PUBLIC INFORMATION.

Mr. GALLINGER submitted the following resolution (S. Res. 172), which was referred to the Committee on Appropriations:

Resolved, That, if not incompatible with the public interest, the Committee on Public Information is hereby directed to furnish the following information to the Senate:

What compensation, in salary or allowance for expenses, is paid to the civilian chairman of the committee? At what date did such salary or allowance begin, and what is the sum so paid up to the 1st day of December, 1917? What are the names of the persons composing the staff of the committee, when was each employed, what compensation, in salary or allowance for expenses, is paid to each; and what is the total sum paid to each up to the 1st day of December, 1917? What persons not now attached to the committee's staff have been employed since the organization of the committee and December 1, 1917? What duties did each perform and what sum, in salary or allowance for expenses, was paid therefor? What other expenses have been incurred by the committee in the course of its work up to the 1st of December, 1917?

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Thursday, January 3, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1917.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

Maj. Frederick Hessler Sparrenberger, Medical Reserve Corps, to rank from December 14, 1917.

First Lieut. James Francis Faulkner, Medical Reserve Corps, to rank from December 15, 1917.

Maj. George Philip Stallman, Medical Reserve Corps, to rank from December 16, 1917.

Dr. James Asa Simpson, at large, to rank from December 17, 1917.

APPOINTMENT IN THE NAVY.

Civil Engineer Charles W. Parks, United States Navy, to be Chief of the Bureau of Yards and Docks, in the Department of the Navy, with the rank of rear admiral, for a term of four years.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18, 1917.

EXPLOSIVES INSPECTORS.

Nicholas Hughes, New Jersey.

William A. Compton, Illinois.

Joseph S. Giudice, Wisconsin.

RECEIVERS OF PUBLIC MONEYS.

Abraham Hogeland to be receiver of public moneys at Lewistown, Mont.

Augustus J. Schroer to be receiver of public moneys at Minot, N. Dak.

Leroy E. Cummings to be receiver of public moneys at Pierre, S. Dak.

PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Hugh de Valin to be surgeon.

Passed Asst. Surg. Marshall C. Guthrie to be surgeon.

Asst. Surg. Howard F. Smith to be passed assistant surgeon.

Asst. Surg. Lon O. Weldon to be passed assistant surgeon.

COAST AND GEODETIC SURVEY.

Stanley T. Barker to be junior hydrographic and geodetic engineer.

Raymond A. Wheeler to be junior hydrographic and geodetic engineer.

The following to be aids:

Edgar H. Bernstein,

Elwood M. Wilbur,

Benjamin Friedenber,

William H. Overshiner,

Lowell O. Stewart,

James D. Crichton, and

Nathan Cherniack.

APPOINTMENTS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Lewis W. Call to be judge advocate with the rank of major.

SIGNAL CORPS.

Col. Alexander L. Dade to be brigadier general.

CHAPLAINS.

Joseph Burt Webster,

Frank J. Barry,

J. Donald Hockman,

Frank Meredith Thompson,

John Roswell Edwards,

Henry Augustine Norman,

Alexander W. Thomas,

Jesse Stuart Pearce,

Frank Connors Rideout,

Alfred Coolswan Oliver, jr.,

James L. Blakeney,

Woodward Howard Morgan,

William P. Sherman,

James L. Robinson,

John Hall,

Washington Cannon Pinson,

George H. Nerison,

Thomas Joseph Lennan,

Elmer Orlando Hoffmeister,

Charles Coburn Merrill,

Claude Skene Harkey, and

Stanley Claudius Harrell.

DENTAL CORPS.

Byram Sandford Purviance, to be dental surgeon.

To be first lieutenants.

John Loftus Richards,

Winfred E. Henshaw,

Joseph Earnest Schaefer,

Frank Phillip Kendrick Barker, and

George Julian Sibley.

MEDICAL CORPS.

Bertram Foster Duckwall, to be captain.

To be first lieutenants.

John Michael Hewitt,

Claude Wiggins Cummings,

John S. C. Fielden,

James Monroe Troutt,

Alan DeForest Smith,

Frank Macbeth Ende,

Samuel Augustus White,

Albert Wright Greenwell,

Francis Moylan Fitts,
 Eric Adolphus Fennel,
 Paul Edgar McNabb,
 Harvey Edmund Webb,
 George Franklin Aycock,
 Henry Wiley Grady,
 Philip Jefferson Lukens, jr.,
 Norman McLean Scott,
 Marion Rudolph Mobley,
 Frederick Karl Herpel,
 Horace Sumner Villars,
 Donald Gardner Russell,
 Allen Deming Lazenby,
 Patrick Francis McGuire,
 James Walsh McClaran,
 Louis Frank Boyd,
 Tom Sperring Mebane,
 Edmund Benjamin Spaeth,
 Philip Louis Coulter,
 James Blaine Montgomery,
 Percy Elisha Duggins,
 Brown Shirk McClintic,
 Henry Kurtz Baumgardner Hufford,
 Joseph George Fernbach,
 Howard Henry Dignan,
 Charles Wallace Sale,
 Robert Henry Lowry, jr.,
 Hertel Phillip Makel,
 Ward Stanley Wells,
 Seymour Crandall Schwartz,
 Burgh Smith Burnet,
 Karl Frederick Kesmodel,
 Ross Golden,
 Curtis Dudley Pillsbury,
 Nelson Allen Myll,
 John Robin DeVelling,
 Roy Lorraine Scott,
 William White Southard,
 George Hamilton Dorsey,
 Laurent Lescelles LaRoche,
 Henry Cheesman Dooling,
 Frank Smeeton Matlack,
 Cleon Joseph Gentzkow,
 James Porter Crawford,
 Robert Alexander Hale,
 Allen Richmond Howard,
 Benjamin Beresford Rowley,
 Henry Colmore Bradford,
 Harry Hunt Towler,
 Oral Bevely Bolibaugh,
 Joseph Roy Jones,
 Harold Edward Clark,
 Roland Albert Davison,
 Charles Reif Snyder,
 Arthur Lee Hinchew,
 Haskett Lynch Conner,
 Edward Bailey Macon,
 Farrar Burr Parker,
 Percy James Carroll,
 Virginius Minervini,
 James Vincent Falisi,
 William Daugherty Petit,
 Glenn Holway Reams,
 Jay De Pew Mingos,
 Allan Wilson Dawson,
 John Williams McKeever,
 Ottis Lee Graham,
 Edwin Howerton Roberts,
 Arthur Maynard Bacon,
 John Jay Moore,
 Anthony Joseph Vadala,
 Maurice Stevenson Weaver,
 John Marion Stanley,
 Arthur Howard Nylan,
 Myron Parkhill Rudolph,
 Noble DuBois McCormack,
 Charles Edward Sima,
 Bascom Headen Palmer,
 Harold Dana Rogers,
 John Randolph Hall,
 Arthur Raymond Gaines,
 William Love Starnes,
 William Archdall Boyle,
 Manton Leonard Shelby,
 Egbert Hayes Wesson,

Paul Henry Streit,
 John Edwin Robinson,
 Lewis Edwin Joel Browne,
 Ernest Kenneth Stratton,
 James Archibald Orbison,
 Paul Maxwell Neuman Kyle,
 William Cotman Whitmore,
 Albert Berchmans Pavy,
 Francis Edgerton Evans,
 Charles Earle Brenn,
 Francis Thomas Duffy,
 Leonard Webster Weaver,
 Louie Felger,
 Leo Stewart Trask,
 Raymond Albert Tomassene,
 Lowyd Whitcombe Ballantyne,
 Otto Richard Brown,
 Charles Elmer Yoho,
 Cornelius Anthony Denehy,
 Joseph Patrick Madigan,
 Robert Keith Simpson,
 Patrick Sarsfield Madigan,
 Frederick Bryton Little,
 Chester A. Stayton,
 Herbert Wilson Rogers,
 John Robert Evers,
 Ralph Elmer Curti,
 Daniel Clyde Hankey,
 Frederick Arthur Blesse,
 Charles Crawford Dickey,
 George Beard Fletcher,
 Walter Henry Mytinger,
 John Joseph Carden,
 Henry Earl Fraser,
 John Ross Whisenant,
 Harold Horton Golding,
 Harry Philip Shugerman,
 William Cramer Pollock,
 William Walker McCaw,
 Edward Howard Tonolla,
 Earle Douglass Quinnell,
 Harold Ogden Brown,
 Douglas Hamilton Mebane,
 Paul Barrus Johnson,
 Irving Kennedy Lovett,
 Montreville Alfred St. Peter,
 Frank McAlpin Moose,
 Percy Kenward Telford,
 William Boyd Brigman,
 Benjamin Franklin Pence,
 Wayne Roscoe Beardsley,
 Warren Stirling,
 Don Guernsey Hildrup,
 Richard Samuel Magee,
 William Alexander Smith,
 Frank William Pinger,
 Ivy Albert Pelzman,
 Edward Spencer Murphy,
 Leo Pecci Bell,
 Richard Eugene Werlich,
 Paul Kurt Sauer,
 Herbert Rowell Stolz,
 Louis deKeyser Belden,
 Andrew William Smith,
 Willard Samuel Howard,
 Philip Palmer Green,
 William Hulbert Barrow,
 Gordon Fay Willey,
 Frank Arents Plum,
 Charles Robert Irving,
 William Wiley Jones,
 Charles Clifford Hawke,
 Noland Mackenzie Canter,
 Pierre Numa Charbonnet,
 James Claude Kimbrough,
 Meredith Rutherford Johnston,
 Merrill Kirk Lindsay,
 William Drummond Middleton,
 Leon Hastings Cornwall,
 Read Benedict Harding,
 James Wesley Duckworth,
 Bradford Massey,
 Edgar Henry Howell,
 George William Snyder,
 Paul Stanislaus Wagner,

John Alfred Parsons Millet,
Joseph Daniel Foley,
Lewis Alfred Newfield,
Thomas Maurice Leahy,
Louis Anatole LaGarde, jr.,
Edward Lane Moore,
Charles Augustus Pfeffer,
Louis Martin Field,
Clarence Edward Burt,
John Andrews Rogers,
Gilbert Octavius Crank,
Harmon Paul Buffum Jordan,
William Patrick Joseph Ruddy,
Harmon Hadley Ashley,
Walter Leland Richards,
Newton Washington Sentell,
Stanley Gibson Odom,
Rees Stephen Lloyd,
Richard Samuel Moynan,
William Davies McLelland,
James Roy Hudnall,
Charles Rice Lanahan,
Donald Paul McCord,
Henry Reuben Weston,
Carlton Lakey Vanderboget,
Matthew Aloysius McGarty,
John Edwin Boland,
Joseph Jacobson Hilton,
Clay Ray Murray,
Lee Franklin Turlington,
Edgar Warden Phillips,
Walter Bramblette Martin,
Francis Carr'lo Tyng,
Ezra Ralph Bridge,
Jerome Pierce Webster,
Magnus Jacob Myres,
Reginald Ducat,
James McAllister,
Ralph Ward Walker,
Rudolph Duenweg,
Oliver Sheley Gilliland,
Frederic Hamilton Thorne,
Alfred Robert Thomas, jr.,
Neuton Samuel Stern,
Albert Bowen,
Morse Wilder,
William Milton Caffee,
Edward Raymond Easton,
Francis Xavier McGovern,
John DuBose Barnwell,
Solomon Fisher Hoge,
Thomas Grant Tousey,
George Benjamin Kent,
Eugen Gottfried Reinartz,
John Joseph Lancer,
Sam Hardeman,
Harvey Montreville Andrew,
Robert James Platt,
Horace Tyner Doust,
Niels Peter Paulsen,
Verner Trenary Scott,
Hall Glesnor Van Vlack,
Frederick Hessler Sparrenberger,
James Francis Faulkner,
George Philip Stallman, and
James Asa Simpson.

APPOINTMENTS IN THE NATIONAL ARMY.

To be major generals.

Brig. Gen. George H. Cameron,
Brig. Gen. George W. Read,
Brig. Gen. André W. Brewster,
Brig. Gen. Charles H. Muir,
Brig. Gen. Charles C. Ballou, and
Brig. Gen. Charles T. Menoher.

To be brigadier generals.

Col. Malvern-Hill Barnum,
Col. William H. Hay, and
Col. Jesse McI. Carter.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

Samuel Louis Kuhn,
Louis Graham,
Roy Marsh McCutchen,

William Lohmeyer, jr.,
William Allen Clark,
Aubrey Hoodenpyl Bond,
Hubert Walter Collins,
Harold Joseph McDonald,
Maurice Pelham van Buren,
Frederick Slocum Howland Smith,
Frank Bowman Hastie,
Harold Van Vechten Fay,
Oscar Rudolph Peterson,
Thomas Kronenberg Meloy,
Robert Adams Love,
Bennet Hart Bowley, jr.,
Robert Dorrance Ingalls,
William Lloyd Garrison Mackenzie,
Walter Lyman Medding,
Warren Adams Lyon,
Roger Williams Parkhurst,
Albert Carl Lieber, jr.,
Robert King Munroe,
James August Bjerregaard,
Eugene Franklin Gaebler,
William Clair Atwater,
Henry Elmer Strout, jr.,
John Arthur Strang,
George Earl Robinson,
Frank Claxton Rogers,
Philip Nahn Cristal,
Clifford Harry Springer,
Edward Perry Morton,
Langley Stoddard Houser, and
George Jacob Nold.

COAST ARTILLERY CORPS.

To be second lieutenants.

Edward Franklin Chase,
Robert Andrew Wheeler,
Catesby ap Lucian Jones,
William Warren Savage,
Charles James Schaefer,
Le Roy Allen Whittaker,
Harold Waldo Kramer,
Harold P. Detwiler,
Clarence Francis Hofsetter,
John J. Vandenberg,
Paul Sheeley Roper,
John Scott Beck,
Clarence Gordon De Swarte,
Brandley Belknap Brown,
Mahlon Apgar Combs,
Leslie Arthur Kibbe,
Lawrence Locke Clayton,
Sanford Dole Ashford,
William Mayer,
James Laird Craig,
Glenn Howenstein Stough,
Charles Ernest Loucks,
Edmund Bradford Tazewell,
Hugh McCauley Cochran, 3d,
Bruce Wilcox Thayer,
Arthur Cavanagh Cox,
Paul Jamison Hunt,
Chauncey Kenneth Smullen,
Moses William Pettigrew,
Harold H. Hilton,
Walter Francis Kraus,
Duval Marshall Taylor,
Samson Heller Rosenblatt,
Hugh Nelson Mavor,
George Abe Woody,
Maurice Rice Gowing,
Geoffrey Maurice O'Connell,
Lloyd William Goepfert,
Frank Richard Rawson,
Francis Bell, jr.,
Harrison George Overend,
Arthur William Gower,
Guy Cephus Smith,
Otis Corcoran Moore,
George Calvin Tinsley,
Arthur Foster Gilmore,
Thomas Blair Hobson,
John T. Lewis,
Walter A. Upham,
Julian Darst Conover,

Ralph Anderson Grant,
Alvah Putnam R. Couklin,
William Quinttullus Jeffords, jr.,
Ernest Carroll Porter,
Frederick Wells Gilchrist,
Samuel Lusker McCroskey,
Arthur Leo Lavery,
George Anthony Patrick,
Horace H. Powers,
Walter Christian Thee,
Gwynne Gravelle McCaustland,
Wayne Edson Davis,
Oliver Boone Bucher,
Edgar William King,
John Wilson Dillard,
Jesse Kuykendall Mattox,
Wallace Edgar Armstrong,
Riley Edward McGarraugh,
Fletcher Hanson Etheridge,
David Beale,
Charles Thomas Trickey,
Allan Preston Bruner,
Edwin Mahlon McGinnis,
Francis Stuart Swett, and
Arch Charles Huston.

CAVALRY ARM.

To be second lieutenants.

De Lancey Bentley,
William Paton Rauch,
John Aethuruld Garvin,
Daniel Denison Streeter,
Randolph Russell,
Brock Putnam,
Leland Long Miller,
Edwin Miles Sumner,
William J. McChesney, jr.,
Joseph Sheehan,
James Madison Currin,
Thomas Henry Green,
William H. C. Grimes,
Russell Crayden Winchester,
James Stevenson Rodwell,
Charles Francis Choate, 3d,
Charles Diller Ryan,
Nathaniel Holmes,
Kirk Broadbush,
Paul Blackmer,
Herbert Aladdin Suman,
Harold de Beaumont Bruck,
Donald Anderson Young,
Hans Charles Minuth,
Edwin Clarence Gere,
John Martin Sweeney, jr.,
George Gill Ball,
Samuel C. Skemp,
Jacob Monroe Carter, jr.,
Thomas Pierrepont Hazard,
Francis Charles Dossert,
George Washington Ewing, jr.,
Crawford Clark Madeira,
Charles Poultney Davis,
Harry Robert Kilbourne,
Elmer Edward Finck,
Harry Hodges Semmes,
Clifford Arthur Eastwood,
Guy Allegre Russell,
Fenton Stratton Jacobs,
Catesby ap Catesby Jones,
Charles Wharton,
W. Dirk Van Ingen,
Herbert Vaughn Scanlan,
Sigurd von Christerson,
Kenneth Osborne Spinning,
Curt Eric Hansen,
Vincent Paul Ryan,
Raymond Charles Blatt,
Clinton de Witt,
Harold J. Adams,
William Booth Van Auken,
Harold Kitson,
John Boies,
Charles Raymond Gross,
Irvine L. McAllister,
Robert Gale Breene,

James Irving Gibbon,
Walter Carter Butler,
Don Briley,
Howard Forrest Long,
Benjamin Lufkin,
Burton Curtis Andrus,
Harold E. Lewis,
Newell Phipps Weed,
Arthur Henry Besse,
Charles W. White,
John Royer Lindsey,
George L. Snelling,
Duane Lenton Tice,
Jason Budd Hart,
Roland Harman Rogers,
Fred New Raymond,
Glenn William Keith,
Roscoe Cuffe Brabazon Ellard,
Robert Chandler Knowlton,
Richard Hervey Pinney,
Garland Cuzorte Black,
George Albert Delaney,
Joseph Andral Nichols,
Albert George Hunt,
Egbert Frank Bullene,
Arthur Wood Stanley,
Harold Edwin Brailey,
Carleton Burgess,
Frederick Hukill Vandegrift,
Harry Eugene Dodge,
Charles Forrest Palmer,
Jay Dolph Donald Marcellus,
Lewis Downey Cooper, jr.,
Charles Jester Davis,
George William Outland,
John Meniffee Moose, jr.,
Nelson Revitt Perry,
Innes Randolph,
Carl Beecher Byrd,
Thomas Brady, jr.,
Gilbert Xavier Cheves,
Wingate Battle,
Harold Binkley,
Wade Carpenter Gatchell,
Henry George White,
Norman Dean Twichell,
Andrew Jackson Wynne,
Howard Charles Wiener,
Walter Frank Goodman,
Thomas Mardenbro Benson,
Edward Forrest Porter,
Lucian King Truscott, jr.,
Ralph Erland Alstead,
Arthur Sewell Kelley,
James Hugh Akerman,
Raymond Thomas Connell,
James Nicholas Winn McClure,
Gabriel Regua Mead,
Millard George Harnden,
David McKay Wilson,
Leonard Mortimer Mertz,
Ernest Arthur Williams,
Daniel Herman McCarthy,
Stocum Kingsbury,
George Harrison Millholland,
Gardiner Scudder Platt,
Minor George Fitzer,
Roy Irwin Phares,
Donald Ross Dunkle,
Chester Earl Davis,
Holmes Gill Paullin,
Francis Royal Kenney,
Monroe Payne Smith,
John Hamilton Irving,
Evan Dhu Cameron, jr.,
William Francis McLaughlin,
Glenn Smith Finley,
Manly Foster Meador,
Ernest Francis Sexton,
Stephen Webb Davis,
Lynn Boyd Conde,
Clarence Beryl Werts,
Henry Roberts Miller, jr.,
John Henderson Gay Reilly,
Charles Herman Unger,

William Dona^y Tabor,
 Horace S. King,
 Edward Maynard Fickett,
 James Couzens Van Ingen,
 Callie Hammond Palmer,
 Charles Rawlings Chase,
 Thomas Francis Mishou, jr.,
 Robert Bruce Jackson,
 Christopher Columbus Strawn,
 Allyn Raymond Brownson,
 John Russell Breitinger,
 Robert David Beer,
 Alfred Joseph de Lorimier,
 Malcolm Gray Lowry,
 William Osce Coleman,
 Herbert Reading Sargent,
 John Elgin Ketchum,
 Arwed Charles Baltzer,
 James Walter Ewing,
 Wallace Van Cleave,
 Karl Warren Curtis,
 Carl Emet Rankin,
 Richard Earl Tallant,
 Nelson Monroe Utley,
 John Alexander MacDonald,
 Henry Hale Cheshire,
 Nathan Bartholomew Reynolds,
 John Andrew Wood,
 Venable Moore,
 Guy Littleton Furr,
 Joseph Augustus Blake, jr.,
 Walter McLaren Robinson,
 John Sylvester Peters,
 Herbert Ludwell Earnest,
 Verne Austin,
 Willis Holcombe Ryder,
 Alden Hamilton Torrey,
 Morris Towar Whitmore,
 Samuel Leask, jr.,
 Guy Edward Dillard,
 Ray Tyson Maddocks,
 Thomas Alexander Frazier,
 Victor Robert Sladek,
 James William Husted, jr.,
 Richard Nelson Atwell,
 William Elliott, jr.,
 Thomas Bayne Locke,
 Morris Simpson Daniels, jr.,
 Frank Starr Pope,
 Harold Glenn Davis,
 Robert Morris Cherry,
 Alfred Theodore Wyman,
 Roger William Sawyer,
 John Hanna Welsh,
 Edward Perry Morton,
 Edwin John Kratzberg,
 Robert Dudley Coye,
 Almet Francis Jenks, jr.,
 James Parsons Gifford,
 Vern Hinkley,
 Charles Claffin Allen, jr.,
 A. Herman Stump,
 John Orland Lawrence,
 Charles Williamson Glover,
 William Ralph Evans,
 John Knox Gailey, jr.,
 Warren Lambert Shumaker,
 Charles Read Simmons,
 James Van Valkenburgh Shufelt,
 William Harold Davidson,
 Herbert Anson Welch,
 Hobart Raymond Gay,
 Rutherford Leon Hammond,
 Paul Humiston Ailing,
 Ervin William Harrison, jr.,
 Raymond Gordon Clark,
 Elisha Carpenter Wattles,
 Brooks Shumaker,
 Parker Gillespie Tenney,
 George Pat Pattison,
 Mordaunt Verne Turner,
 Norman E. Waldron,
 Herbert Johnson Burke,
 Leo Lawrence Gocker,
 Carleton Swasey,

John Hickman Ransdell,
 Edwin Wilds Godbold,
 Louis Gerisch Forney,
 Hugh Brooks,
 John Gilbert White,
 Edwin William Meise,
 Raymond Carmichael Gibbs,
 Leo Francis Crane,
 Harry Clark Boden,
 Alfred Grace Ford,
 Rohland Andrew Isker,
 James Madison Graham, jr.,
 Wallace Graham Corwin,
 Robert Reginald Maxwell,
 Peter Ditmar Larson,
 Charles Arthur Horger,
 Robert Oney Wright,
 Arthur Dickinson Soper,
 Conrad Grey Wall,
 Andrew Wilson, jr.,
 Roger Lee Branham,
 Harold Albert Davis,
 Lloyd Arthur Houchin,
 Charlie Edward Hart,
 Richard Thomas Lyons,
 Hugh Arthur Barnhart,
 James Wade Jenkins,
 George Henry Howard, jr.,
 Frank Wideman,
 Arthur Chittenden Crunden,
 James Parker,
 James Thomson Donald,
 Edward Gillett Knowles,
 Guy Tilghman Orme Hollyday,
 Francis Vincent Terry,
 Tolman Douglas Wheeler,
 Charles Edward Dissinger,
 Martin George Charles,
 Earl Maxwell Abbott,
 Harvey Morris Breaks,
 Williamson Wells Simons,
 Robert Bage Kerr,
 Samuel Vallance Hyatt Danzig,
 George Frederic Neilson,
 Dean Ambrose Jones,
 Hugh Franklin Conrey,
 Callistus James Ennis,
 Venance LeMay,
 Edward Longworth Morss,
 Paul Carson Febiger,
 David Nelson Sutton,
 Alexander Dyer Mason,
 William Eskridge Duke,
 James Jerome Roach,
 Paul Juneau King,
 Harry Edmund Pendleton,
 Thomas McPheeters Glasgow,
 John McLean,
 Fred Thomas Cunningham,
 Benton Frank Munday,
 Gyles Merrill,
 William Copers Bowie,
 Wilfred Ernest Willis,
 John Blaine Seaton,
 Thomas Paul Sweeney,
 Richard Sutphen Miesse,
 James Montagu Adamson, jr.,
 Charles Everhardt Sheldrake,
 Kenneth Melville Harris,
 Max Harry Nippell,
 Charles Morton Stewart, 3d,
 Philip Sheridan Weadock,
 Stewart F. Miller,
 Joe Carroll Rogers,
 Frank Albert Allen, jr.,
 Matthew Griswold, 3d,
 Guy Orth Kurtz,
 Louis Joseph Compton,
 Frederick Sanborn,
 Clarence Augustus Lefferts,
 Nables Fred Ryan,
 George W. Barber,
 Francis Minot Weld,
 Read Wipprecht,
 Claire Morton Daugherty,

Ceylon Otto Griffin,
 Edward E. Hamilton,
 Erie Fletcher Cress,
 Dimetrio Peter Harkins,
 Harold Grant Hathaway,
 Bruce Magaw McDill,
 Loren Francis Parnley,
 Edward Herendeen,
 Floyd Manley Friar,
 John Anthony Anheier,
 Grayson Hunter Bowers,
 Thomas W. Herron,
 Alfred Roy Teter,
 Harry Glenister Clarke,
 Alden Humphrey Seabury,
 Joseph Sarsfield Sweeney,
 Fred William Koester,
 Marvin Banks Perry,
 Clarence Arthur Shannon,
 Alexander Bull MacNabb,
 Robert Hicks Van Deusen,
 Charles Campbell McCall,
 William Neely Todd, jr.,
 Walton Whittingham Cox,
 Dudley Miller,
 John Kelly Egan,
 Thomas Reed Taber,
 Earl Wilton Henderson,
 Ross Ernest Larsen,
 Charles William Burton,
 Harry Duncan Bishop,
 Walter Alfred Stover,
 Samuel Greenwood Mitchell,
 Calvert Lewis Estill,
 Nathan Cockrell,
 Channing Clarence Beeth,
 Cecil Junior North,
 Robert Milton Eichelsdoerfer,
 Edmund Hope Driggs, jr.,
 James Tolmie Watsen, jr.,
 Roswell Emory Round,
 William Donald Thompson,
 Graham Train Winslow,
 Edward Brooke Harry,
 Herbert Delmar Bowman,
 Albert Gordon Klapp,
 Fred Paul Clark,
 James Perry Thurber,
 Edward Abbott Titcomb,
 Henry Chace Tatnall,
 Harry Leroy Jones,
 John William Middendorf, jr.,
 Calvin Ray MacGillivray,
 George Stanley Clarke,
 Harold Paul Stewart,
 Harold La Roy King Albrow,
 Ward H. Porter,
 Elias Lyman, jr.,
 Charles Lemon Baker,
 Darrow Menoher,
 Mark Andrew Devine, jr.,
 John Linton Pettibone,
 Edwards Hall Berry,
 Harold Ernest Taft,
 Max George Werner,
 Gerald Fitzgerald,
 Paul Schulze, jr.,
 Henry C. Banks,
 Chauncey Ryder McPherson,
 Daniel Crossley Robinson,
 Thomas Nast St. Hill,
 William H. Killian,
 Carl Julian Dockler,
 Alfred Porter Tenison,
 Olin Coke Newell,
 Laurence Mather Selleck,
 Lawrence W. Fox, jr.,
 Lawrence Tracy Brown,
 Harry Augustus McCoin,
 Carroll Edward Patterson,
 George Maurice Robertson,
 Frank Ruckel McKay,
 Clark Wesley Johnson,
 Winston Resse Withers,
 Ashley Hearn Conard,

Frank Earle Noyes,
 Ferdinand Blekre,
 Charles Earl Flack,
 John Steele Tyler,
 Aubrey Russell Bowles, jr.,
 Frederick A. Gray,
 Ralph Charles Thomas,
 James Robert Lowry, jr.,
 Talbot Taylor Spear,
 John Minor Lile,
 Charles Morton Denny, jr.,
 Sidney Reed Smith,
 Russell Frank Locke,
 Charles Underwood Fisher,
 Harold Stephen Thurber,
 Arthur Tillinghast Huston,
 William Kerlin Ennis,
 Raymond Shener Jett,
 Warren Crenshaw Brown, jr.,
 Clarke Oler Kimberly,
 Paul Clarence Boylan,
 Guy Russell Chamberlin,
 Lewis Berry Angel,
 Jack Raymond Burke,
 William Hobart Little,
 Harold Philip Heckenberger,
 Emerson Wiley Jarman,
 Roger Eugene Williams,
 George James Waggner,
 Claude Newbury,
 Frank Reid Baker, and
 Deane Childs Howard, jr.

—FIELD ARTILLERY ARM.

To be second lieutenants.

Joseph W. Del Alamo,
 Richard Weaver Hocker,
 William McKee Dunn,
 Willard Sears Simpkins,
 Rene Joseph Le Gardeur, jr.,
 Corydon Hubert Sutton, jr.,
 Henry Manchester Ladd, jr.,
 Gustav Edwin Moe,
 Philip Ramer,
 Ozro Freeman Rideout,
 Floyd Courtland Marshall,
 Harris Markham Findlay,
 Thomas Foster Furness,
 Joseph Lovell Corcoran,
 Dana Mortimer Hubbard,
 Clyde W. White,
 Preston Southworth Hoyt,
 Clifford Adin Laffin,
 Willis Wilkinson Hubbard,
 Fairfax Stuart Landstreet,
 Floyd W. Stewart,
 Fairfax Davis Downey,
 Bernard Carter Law,
 George Faber Downey, jr.,
 Andrew Carrigan, jr.,
 Harley Latson,
 John Vincent Thompson,
 Carl Z. Draves,
 Archibald Donald Fiskien,
 Samuel Cromwell Holliday,
 Emory McKinley Hoover,
 William McBlair Garrison,
 Leon Jenkins Paddock,
 Brian Cutler Curtis,
 Henry Lewis Nicholls,
 Arthur N. Selby,
 Thomas Hall McKey, jr.,
 Walter A. Phillips,
 Stuart M. Canby,
 Harry Y. Stebbins,
 Edmund D. Margrave,
 Harry Darby, jr.,
 Samuel Powel Griffiths,
 Joseph William Loe,
 Charles Benjamin Bommer,
 Arthur Lafayette Warren,
 Thomas Kenneth Vincent,
 Merritt Halstead Greene,
 William Beattie Weakley,
 William Bennett Tucker,

Philip Dorn Tryon,
 Ary Clay Berry,
 George Davidson, jr.,
 David Lewis Ruffner,
 Mark Milton Serum,
 Louis H. Penney,
 Ross Breckon Warren,
 William Murray Whittle,
 Addison Henry Douglass,
 Arthur Eugene Fox,
 Lewis Alexander Bond,
 Robert Alexander Barnard Goodman,
 Devereux Colt Josephs,
 Henry Maynard Rees,
 John Gray Paul,
 James Embury Brinckerhoff,
 William Gerald Cummings,
 Harold Taylor Brotherton,
 Larkin W. Glazebrook, jr.,
 Samuel Dalla Smoley,
 Charles Ferriday Neave,
 Robert Wilbar Wilson,
 Donald Howlett Brown,
 Ralph de Poix Terrell,
 Stephen Bradshaw Ives,
 Robert Fulton Webb,
 William George Lasch,
 Miller Hall Pontius,
 Fritz Andrew Nagel,
 Adrian James McDonald,
 John Eaton Hartigan,
 John Littlefield Handy,
 Edgar Allen O'Hair,
 Stephen Mahon,
 Addison Bennett Green,
 John Rutledge Shepley,
 Roger Allen Sanford,
 Kenneth Leeds Holmes-Brown,
 Oliver Baty Cunningham,
 Harvey Ernest Ragland,
 Charles Henry Burchenal,
 Robert Emmett Crotty,
 Wilton Lloyd-Smith,
 Frank Combs Delaney,
 Pell William Foster, jr.,
 Kennedy Hassenzahl,
 Arthur Pruden Patterson,
 Robert Parker Reynolds,
 Philip Gibson Hodge,
 Dennis Percy McCarthy,
 Albert Tate,
 LeCount Haynes Slocum,
 John Howard Shelton,
 Louis Heyward Lathrop,
 John Van Hoesen Challiss,
 Junius Sturges Roberts,
 Frederic W. W. Graham, jr.,
 Joseph Reed Estabrook,
 Harold Daniel Finley,
 Leo Joseph Vogel,
 James Patrick Kelly,
 Richard Baldwin von Maur,
 Harold Trumpler Deeds,
 Millard Lindsey Hamaker,
 John Brainard Fidler,
 Wilbur Burnette Sumner,
 Cabell Breckinridge Ten Eyck,
 Douglas Henry,
 John Arnold Graves,
 Hastings Seth Morse,
 George Munro Schurman,
 William Edward Corkill,
 Charles Donald Brown,
 Lester Martin Kilgarif,
 Henry Wiley Krotzer,
 James Bland Catlett,
 Robert Luther Randol,
 Douglas Lee Crane,
 Melville Halstead Rood,
 Thomas Lewis Chalmers,
 Harry Newton Blue,
 Fredric Harris Timmerman,
 James Howard McHenry,
 Alford John Bradford,

Gurney Lapham Smith,
 John Merryman Franklin,
 George Sidney Goodspeed,
 Amos Eugene Carmichael,
 Raymond Hoff Seagle,
 John Victor Anderson,
 Henry Wood Wiley,
 Walter Rompel,
 Winfred Charles Green,
 Marion Irwin Voorhes,
 Algernon Sydney Coleman,
 Leslie Warnick Devereux,
 Robert Francis La Barron,
 Edgar Gibson Crossman,
 James Hollam Boyd,
 Ralph King Learnard,
 Pitt Fessenden Carl, jr.,
 David Wentworth Potter,
 John Henry Gardner, jr.,
 Earl Cranston Ewert,
 Donald Degray Demarest,
 David John Fitzgerald,
 William Chamberlain Chanler,
 Ralph Waldo Hahn,
 Orrin Paul Kilbourn,
 Robert Ellsworth Jacobson,
 John Terence Clancy,
 Richard Almerin Miller,
 Winthrop Worcester Leach,
 John William O'Harrow, jr.,
 James Blanding Dick,
 Carol Spencer Snowden Kennedy,
 Dan Cummins Kenan,
 Joseph Adelbert Martz,
 Andrew Stewart Messick,
 Lee Burwel Goff, jr.,
 Kenneth Smith Wallace,
 Ralph Heatherington,
 Eugene Bradford Ripley, jr.,
 Thornton Davis,
 Frederick Major Williams,
 Harry Benjamin Routh,
 William Eugene Farthing,
 Jackson Herr Boyd,
 Noel Noyes,
 John Calvin Butner, jr.,
 William Boardman Bowles, jr.,
 Edward Cummings,
 Eugene Weston, jr.,
 Edward Stanley Ott,
 Richard Dupree Roquemore,
 Ralph Bridges Bagby,
 Kenneth Hodges,
 Theodore B. Moore,
 Melvin Leslie McCreary,
 John Stacy Brown, jr.,
 Eugene Miner Requa,
 Herman Hollie Felix Gossett,
 Murray Matthews Montgomery,
 Roderick James McIntosh,
 Lester Johnson Whitlock,
 Harry Lee Campbell,
 Hinton Fort Longino,
 Frederick Harry Black,
 William Ballinger Cobb,
 Angelus Geague Burch,
 Chisholm Garland,
 Harvey Edward,
 Everett Banfield Jackson,
 George Price Hays,
 George Washington Cassell,
 Hugh Applegate Reid,
 Edward Wadsworth Tanner,
 Ralph Julian Canine,
 William Lloyd Bailly, jr.,
 Donald Alfonso Carson,
 Herbert Sydney Duncombe, jr.,
 Donald Julius Cranston,
 Josef Robert Sheetz,
 Hugh St. Clair Clarke,
 George Glenn Witter,
 Elmer Jamison Gray,
 George Meade Parker,
 Alfred Proden Kelley,

Oliver Ferguson Marston,
 Clarence Clemons Park,
 Eugene Dodd,
 John Swift Anderegg,
 Austin Vincent Clifford,
 Maurice R. Harrison,
 Fred Bidwell Lyle,
 Zim E. Lawhon,
 Robert Irving Laggren,
 Fletcher Settle Riley,
 Willoughby Talbot Cooke, jr.,
 William Bogardus Merselis, jr.,
 Norman Underhill White,
 Thomas Joseph Ross, jr.,
 Jerome Bowes, jr.,
 Harding Chambers Woodall,
 John White McCaslin,
 Jefferson Cleveland Campbell,
 John Harold Keatinge,
 Hoyne Howe,
 Julian Bobbs,
 James Warren Andrews,
 Carlton Benton Rettig,
 Kirk Wesley Howry,
 Maurice Meyer Minton, jr.,
 Frederic Arthur Metcalf,
 Thomas Wilson Wilmer,
 Hudson Burr,
 Harrison Marshall Robertson,
 William Russell Philp,
 Edward Taylor Kirkendall,
 Herbert William Nauts,
 Walter Harold Soderholm,
 Terre Nichols Hendricks,
 Charles E. Finney, jr.,
 John Milton DeBell,
 Edward Carrington Thayer,
 Clyde Bassett Sturtz,
 Vennard Wilson,
 John Blair Barnwell,
 Oswald Burnett Higgins,
 Albert Webster Long,
 Robert Marrs Barnett,
 Charles Alexander Staebler,
 Percy Custer Fleming,
 Sievers Whitehead Susmann,
 Paul Bomberger Shearer,
 Samuel Cabot Almy,
 John Francis Roehm,
 John Thomas Shea,
 Robert Driscoll,
 Chilton Richardson Cabot,
 Nathan David Gordon,
 Alexander Louis Schlesinger,
 Clyde Creushan Caswell,
 Murray Lloyd Goldsborough,
 Robert Taft Staples,
 Howell Redd Hanson,
 George Robert Hayman,
 Howard Everett Camp,
 Samuel Chester Gale,
 Allan Boyd Smith,
 Allie Waldron Miller,
 Lloyd Smith Partridge,
 Frederick Howes Ruppel,
 Richard Jackson Howard Farrar,
 Harold White Blakeley,
 George Elter,
 Willie Charlton White,
 Edward Bradley Anschutz,
 Charles Burgess Arthur, jr.,
 Davis Jones Cloward,
 Leon Dessez,
 Vernon King Hurd,
 Henry Porterfield Taylor,
 Armin Adams Uebelacker,
 Mark Allan Van Liew,
 Ysseil Yvette Young,
 Carl Arnold Grasse,
 James Gaulding Watkins,
 Paul Mitchell Arnold,
 Charles Miner Miller, jr.,
 Curtis Thomas Everett,
 William Samuel Jacobs,
 John Patrick Crehan,

Charles Mortimer Sheldon, jr.,
 Samuel Owen Taylor,
 Bernard Marshal Barcalow,
 Donald Sutter McConnaughy,
 James Bruce,
 James Taylor, and
 Samuel White, jr.

COAST ARTILLERY CORPS.

To be second lieutenants.

Milton Mortimore Levy,
 Ulric Johnson Mengert,
 Hugo Dalsheimer,
 Richard Whitman Coward,
 Edward Tankard Browne,
 John Ogden Merrill,
 Horace Clifford Levinson,
 Percival Spurr Howe, jr.,
 Miles Whitney Kresge,
 Edwin Scott Roscoe,
 George Worcester Ricker,
 Edward Smith Fraser,
 Milton Wayne Pollock,
 Sumner Tucker Pike,
 Sealand Whitney Landon, jr.,
 Harold Connett,
 Leslie Clyde,
 John Mead Silkman,
 John Summerfield Jenkins, jr.,
 Stanley Raymond Mickelsen,
 William Le Roy Hart,
 Lawrence Beatty Morse,
 George Parkhurst Lee,
 Ralph Earl Glasheen,
 Earnest Jackson Oglesby,
 Eugene Morgan Vigneron,
 Henry Clarkson Meredith,
 Dana Little Barbour,
 Ralph Beatley,
 Carroll Gowen Riggs,
 Max Weston Thornburg,
 George Wright Farnham,
 Richard Montague Kimball,
 Edwin Fry Barry,
 Eugene Sinclair Taliaferro,
 Robert Alexander Clyde,
 Andrew Fleming Patterson,
 Forrest Glenn Tucker,
 Howard Tasker Evans,
 Spessard Lindsey Holland,
 William Penn Esterbrook Ainsworth,
 Herbert Fritz Ernst Bultman,
 Donald Fisher McClure,
 Wilton Burton Persons,
 Homer Case,
 Edward Parry Sykes,
 John Vickers Ray,
 Burleigh Adelbert Lum,
 Wilbur Southwood Vaughan,
 Reginald Scott Fleet,
 Roland Dyer Hawkins,
 Melzar Merriek Whittlesley,
 Roscoe Plimpton De Witt,
 John George Murphy,
 Walter Joseph Collet,
 Joe Jene Miller,
 John Van Auker Mackenzie,
 Frank Johnson McSherry,
 George Francis Arthur Mulcahy,
 Charles Sydney Hammond,
 William Bertram Jones,
 Cornelius Sheldon Whittelsey, jr.,
 Carleton Engler Saecker,
 Robert Benjamin Adams,
 Clarence Cory Harshman,
 Lewis Jerome Taylor,
 Pennock Hart Orr,
 John Kay Christmas,
 James Milton Harris,
 Walter Berry Littlefield,
 Philip Hastings Middleditch,
 Wilfrid Warren Montagne,
 Donald Blake Webster,
 George Bassett Roberts,
 Arthur Howard Warner,

Frank Eliha O'Neill,
 Banks George Moreland,
 Monroe Warren,
 James Muir Ralston,
 Ransom Davis Spann,
 Donald Gibbs Crowell,
 Arthur Castle Hawkins,
 Otto de Lorenzi,
 Richard Marston Kew,
 Alexander Gould Campbell,
 Ernest Ray Campbell,
 Joseph Graham Pringle,
 John Wesley Card,
 Jack Phinizy,
 Manly Broadus Gibson,
 Charles Henry Hagelstein,
 Huntington Reed Hardwick,
 Robert Clyde Jordon, jr.,
 Malcolm Samuel Cone,
 Alvah Edgar Moody,
 Robert Kent Gooch,
 Oliver Nelson Hollis,
 Cranston Bourquin Rader,
 Cedric Ezra Scheerer,
 Geoffrey Marshall,
 Lloyd William Taylor,
 Guy Head Hearon,
 Francis Eugene Harrison, jr.,
 James Wallace Hopkins,
 Ralph Ernest Billsborrow,
 Alfred Wilson Chapman,
 William Austin Emerson,
 Lawrence James Meyns,
 James Cutler Vickery,
 Clarence Elmer Muehlberg,
 Edwin Converse Higbee,
 William Tillory Andrews,
 Stoddard Pintard Johnston,
 Lewis Allison Hudgins,
 Levi Monroe Bricker,
 Thomas Paul Ahern,
 Lawrence Iverson,
 Herbert Macmillan,
 John Pehrson MacNeill,
 Archibald Luther Parmelee,
 Robert Emmett Ryerson,
 Sam Henry Coile,
 Junius Bew Peake,
 Sam Williams Anderson,
 Richard Blodgett Cross,
 Geoffrey Airlie Ogilvie,
 John Scott Cansler,
 George Meade Holstein, jr.,
 Joseph Gerald Cole,
 Ward Rubendall,
 Clyde LeGage Walker,
 Richard Brownley Gayle,
 Stillman Brainard Hyde,
 Winston Woodard Little,
 Ralph Patterson Wagner,
 John Andrew Spanogle,
 Henry Morrell Atkinson, jr.,
 Charles Spurgeon Harris,
 Paul Wolcott Rutledge,
 Alvin Clark Smith,
 James Christopher Corliss,
 Robert Tappan Chaplin,
 Chester Bailey McCoid,
 Hugh Gray Lieber,
 Earle Williams Marvin,
 Robert Goodwyn Rhett, jr.,
 James Kenneth Morris,
 Charles Emmet Bates,
 Marshall Lawrence Gosserand,
 Winthrop Myers Allen,
 Maxwell Renvell McMillan,
 St. John Waddell, jr.,
 Cary Breckinridge Easley,
 Nicholas Brown O'Connell,
 Junius T. Moore,
 Oscar Dubois McNeely,
 Abraham Robert Ginsberg,
 Vincent Kinsman Smith,
 Charles Lee Ordeman,
 Ramon Conroy,

Thomas Jeffries Betts,
 David Oliphant Haynes, jr.,
 Edwin John Patton,
 Morris Clinton Handwerk,
 Herbert Benjamin Knox, jr.,
 Charles Cobb, 3d,
 Benjamin Franklin Harmon,
 Ralph Albert Densmore,
 Charles C. Bell, jr.,
 Charles William Lawrance,
 Edgar Carlyle Outten,
 David Warner Burgoon,
 Raymond Blanton Bottom,
 Farrant Lewis Turner,
 Henry Terry Morrison,
 Lee Duren Pettingill,
 Malcolm Harrison Ross,
 Leonard Roscoe Crews,
 Harold Marshall Jobes,
 Thomas Joseph Delaney,
 William Fraser Cassidy, jr.,
 John Winthrop Loveland, jr.,
 Scott Hayes,
 Webster Hamlin Warren,
 Callan E. England,
 Evan Heber Benoy,
 John Brown Bethea, jr.,
 Charles William Higgins,
 Hugh Nathan Herrick,
 George Wesley Norrick,
 Milton Livermore Dodge,
 Robert Mochrie,
 Albert Blakeslee Ede,
 Donald William Tyrrell,
 Everett Maxwell Barton,
 Warren Slaughter Robinson,
 William Warren Wertz,
 Vincent Joseph Flanagan,
 Evans Read Crowell,
 Simon Lee Bear,
 Laurence Willis Hutchinson,
 Gilbert Herman Gaus,
 James Chester Bates,
 Thomas Edison Troland,
 William Alice West, jr.,
 Louis Howard Thompson,
 Albert Bonds,
 Thomas William Conrad,
 Frederick Wilhelm Hoorn,
 Charles Cooper Stalter,
 Joseph Carson Stephens,
 Eugene Reedy Guild,
 Thomas Ryder Lannon,
 Leslie W. Jefferson,
 Luther Orland Leach,
 James Denison Jones,
 Guy Wesley Thomas,
 James Leo McMullen,
 Charles Rumford Walker, jr.,
 Harold Long Williamson,
 Isaac Wynne, jr.,
 Temple Hoyne Buell,
 Julien Robert Hume,
 John Reigel Embich,
 Ernest William Soucy,
 Donald Brooks Hilton,
 Ralph Edwin Hill,
 Francis Lancaster Christian,
 Maitland Bottoms,
 William Robinson Epes,
 Irvin Henry Zelfiff,
 Charles Harrington Stewart,
 John Flacsa,
 Edward Norton Horr,
 Joseph Edward Simmons,
 Lucius Tuttle Hill,
 Hal Francis Corry,
 Martin Allen Hayes,
 Edward Ramsey Holland, jr.,
 John Wesley Russey,
 James Dennett McIntyre,
 Harry William Lins,
 Bryan Lee Milburn,
 Alexander Berkeley Carrington, jr.,
 Frederick Henry Bachman,

Bradley Johnson Saunders, jr.,
 Herbert Charles Bartlett,
 Nyal L. Adams,
 William Brewer Cooley,
 Lloyd Gerald Sparks,
 Arthur Fernando Aston,
 Charles Milby Dale,
 Stanford Rayne,
 Harry Montgomery Carder, jr.,
 William Anthony Clark, jr.,
 William Wallace Dinsmore,
 Arthur Duffy,
 Ellsworth Young,
 John William Fuchs,
 Thomas Reed Bartlett,
 Dudley Franklin Taylor,
 James Leslie Dewitt Corey,
 Andrew Jackson Bentley,
 Frank Hitch Pritchard,
 Clyde Mortimer Watson,
 Stanley Hamilton Franklin,
 Raymond Wilson Symonds,
 Thomas Scott McConnell,
 Detlow Mainch Marthison,
 James Daniel Harvey,
 Jerry Vrchlicky Matejka,
 Arthur de Vries Burke,
 Roy Lee Peck, jr.,
 Edwin Eugene Aldrin,
 Thomas Lamar Cleaton,
 Charles Lennon Miller,
 Joseph Earl Seiter,
 William John Hiller,
 Adkins Foote Bowden,
 Frank Harold Hauptert,
 Leroy Kerr Thompson,
 Milton Heilfron,
 Leonard Ober,
 George Flory Begoon,
 Maurice Francis Dunne,
 Adam Jackson Bennett,
 William Hesketh,
 George Curtis McFarland,
 David Maxwell Waddey,
 Harry James Rice,
 Frazier Groff,
 John Ambrose O'Leary,
 Joseph Jennings Clarkson,
 Joseph William Vann,
 Guy Early Cate,
 Walter John Wolfe,
 Lloyd M. Hanna,
 Severn Parker Costin Duvall,
 James de Graffenriede Graves,
 Hiram Hitchcock Maynard,
 George Warren Dunn, jr.,
 James Willard Walters,
 Richard Cox Coupland,
 William Joseph Burke,
 George Hammond Tilghman,
 George William Brent,
 John Cornelius Roberts,
 Daniel Webster Hickey, jr.,
 Thomas Atkinson Jones, jr.,
 Edwin Meade Newton,
 Samuel James Ogilvie,
 James Webb Benton,
 Bruce W. Mason,
 Stapleton Conway Deitrick,
 Arthur Wilson Winship,
 Elvin Leon Barr,
 Thomas D'Arcey Brophy,
 James Emerson Troupe,
 John D. Hindle,
 Douglas Eaton Morrison,
 Ray Omer Edwards,
 Samuel Davenport Bridge, jr.,
 Carl Wood,
 Thomas Eugene Jeffords,
 Richard Dale,
 Leslie Oakes Carr, jr.,
 John McClelland Abrams,
 Ward Edwin Becker,
 George Herbert Glover Campbell,
 Amory Oliver,

Seth Gerson Hess,
 John Webster Becker,
 James Boyden Crelvo Siske,
 Ralph Scallon Herman,
 Clarence Webb Dresser,
 Kenneth George Brown,
 Robert James Malone,
 Louis Andre Lamoreux,
 William Wayne Murphey,
 Earl Hendry,
 Chester Edward Ames,
 Harry Bertram Aaron,
 William Boyd Sommerville, jr.,
 James Lawrence Whalen,
 John Locke Dogget, jr.,
 Frank Hendricks Hastings,
 Stephen Wilkins Thompson,
 Joseph Hiram Gilbreth,
 Adolph Frederick Youngberg,
 Harold Artemas Packard,
 Walter Allan Moore, jr.,
 Paul Americus Harris,
 John Aloysius Malone,
 Harry William Emil Bukowsky,
 Howard Wright Reilly,
 Walter Edward Hugins,
 John Adolph Lindner,
 Raymond Miller Richardson,
 Marion Nimmo Fisher,
 Charles Oliver Pengra,
 Lionel David Smiley,
 Harold Gilbert Archibald,
 Edward Garrett Cowen,
 Kenyon Putnam Flagg,
 Charles Miller Black,
 Murray Hoffman,
 Waldo Hunting Rice,
 Joseph Burske Hafer,
 Leavitt Randall Barker,
 Ehen Sumner Draper,
 Carl Frederick Westerberg,
 John B. Roller,
 Albert Converse Rountree,
 James Kelsey Cogswell,
 George Arthur Wilson,
 Walter Burroughs Strong,
 Walter H. Rice,
 Thomas Henry Healy,
 Roy Arthur Horning,
 Henry Augustine Harkins,
 George Bernhard Anderson,
 David Longfellow Patten,
 George Edward Moore,
 John Atkinson Moore,
 Russell Meade Neff,
 Daniel Howe Hoge,
 Reamer Walker Argo,
 Edward Lucien Supple,
 Francis Whittlesey Swain,
 William Kirk Fowler, jr.,
 Alexander Maxwell Hamburg,
 Fred Beebe Hanchett, jr.,
 Paul Hatch,
 Willard Paine Woodman,
 Walter Hannum Wheatley,
 Armistead Landon Wellford, jr.,
 Samuel McCullough,
 Owen Miner Rose,
 Frank Patterson Christian, jr.,
 Wilber Russell Ellis,
 John V. Fenton,
 Cyrus Bashford Austin, jr.,
 Mahlon Milton Read,
 Roland Virgil Vaughn,
 Allen Ferdinand Grum,
 Donald Whitaker Campbell,
 Frank Brodsky,
 Bernard Clark Dailey,
 Francis Paul McKenney,
 William Cross Ferguson,
 George Montgomery Lovejoy, jr.,
 Eugene Thomas Conway,
 Edward Carleton Moran, jr.,
 John Woodbury Leavitt,
 Richard Forrest Evans,

Clarence Stephen Babbitt,
Robert Sherman Lewis,
Walter Scott Stewart,
Linwood Irving Noyes,
Alyn Denison Stoddard,
Arthur Knowles Stewart,
Adolf Blunk,
McClellan Ratchford,
Standish Edmund Berry,
Hugh Williamson Rowan,
Edward Prescott Wright,
Edward Columbus Jerome,
Herbert Kuno Schulz,
Robert Elwyn DeMerritt,
Jay Thompson Bell,
James Franklin Powell,
William Dalton Hohenthal,
William Shelter Baxter,
Joseph Hall Van Schoick,
Harry Browne Beale,
Rufus Laurence Nelson,
Henry Lafayette Miller,
James Ralph Lowder,
Frederick Mason Fischer,
Robert Joseph Miskovsky,
Bayard B. Buchanan,
John Thomas Schneider,
Willard Warren Scott,
Curt Paul Richter,
Harold Deas,
Irving LaFetra Arbeely,
Edwin Philip Hart,
Lee Bodenhamer,
Leonard Louis Davis,
Frederick William White, jr.,
Franklin Temple Ingraham,
George Roy Genung,
William Langley Granbery, jr.,
Harold Leo Stiebel,
Gilbert Agnew Hunt,
Webster Fletcher Putnam, jr.,
Merle Halsey Davis,
Frank Simmons Hubbard,
George Berry Dobyns, and
Henry Devries Cassard.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Francis Fielding-Reid, Infantry, to be first lieutenant of Field Artillery.
First Lieut. Frederick R. Baker, Infantry, to be first lieutenant of Field Artillery.

INFANTRY ARM.

First Lieut. Charles W. Chalker, Field Artillery, to be first lieutenant of Infantry.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Sherman L. Kiser,
First Lieut. Elmer Yeager,
First Lieut. Marvin C. Heyser,
First Lieut. Idus R. McLendon,
First Lieut. Michael J. Fibich,
First Lieut. Sidney G. Brady,
First Lieut. George A. Pollin,
First Lieut. David E. Finkbner, and
First Lieut. Chauncey F. Ruoff.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Herman H. Pohl,
First Lieut. Gerald A. Counts,
First Lieut. Hiram B. Ely,
First Lieut. Kenneth M. Moore,
First Lieut. Charles D. Harris,
First Lieut. Edmond H. Levy, and
First Lieut. Thomas D. Stamps.

To be first lieutenants.

Second Lieut. Herman H. Pohl,
Second Lieut. Gerald A. Counts,
Second Lieut. Hiram B. Ely,
Second Lieut. Kenneth M. Moore,
Second Lieut. Charles D. Harris,

Second Lieut. Edmond H. Levy,
Second Lieut. Thomas D. Stamps,
Second Lieut. Bartley M. Harloe,
Second Lieut. Starr C. Wardrop,
Second Lieut. Girard B. Troland, and
Second Lieut. Llewellyn M. Griffith.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Maj. John B. Huggins to be lieutenant colonel.

COAST ARTILLERY CORPS.

First Lieut. Austin Mc. McDonnell to be captain.
Second Lieut. Austin Mc. McDonnell to be first lieutenant.

VETERINARY CORPS.

To be veterinarians.

Asst. Veterinarian Robert Vans Agnew,
Asst. Veterinarian Richard H. Power,
Asst. Veterinarian Henry W. Peter,
Asst. Veterinarian William P. Hill,
Asst. Veterinarian Jules H. Uri, and
Asst. Veterinarian John A. McKinnon.

HOUSE OF REPRESENTATIVES.

TUESDAY, December 18, 1917.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of light and life, justice and mercy, love and liberty, peace and good will, our hearts turn to Thee with inexpressible joy and gratitude at this season of the year; which reminds us of Thine own best gift to the world, through whom Thou didst reveal Thine own heart, and through whom Thou didst impart life more abundantly unto Thy children.

Help us to forgive our transgressors as we hope at last to be forgiven of Thee. Hasten the day, we beseech Thee, when all the nations of the earth shall dwell together in the peace, heralded by the angelic host: "Glory to God in the highest, and on earth, peace, good will toward men."

Let Thy blessing attend the officers, Members, and employees of this House and their respective families as we separate for the holiday season, and bring us together at the appointed time in health, strength, and vigor, that we may do the work Thou hast given us to do, in the spirit of the Lord Jesus Christ, our Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. LANGLEY. Mr. Speaker—

THE SPEAKER. For what purpose does the gentleman rise?
Mr. LANGLEY. Mr. Speaker, I rise to ask unanimous consent to extend my remarks in the RECORD by printing a letter addressed to me by J. H. Wheelwright, president of the Consolidation Coal Co., of Baltimore Md., discussing the coal situation. This is one of the large producing companies of the country, and this letter is one of the best statements of the present situation that it has been my pleasure to hear or read.

THE SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

THE CONSOLIDATION COAL CO.,
Baltimore, Md., December 14, 1917.

HON. JOHN W. LANGLEY,
House of Representatives, Washington, D. C.

MY DEAR MR. LANGLEY: Coal being the essential of essentials must be produced in sufficient quantity to supply the fuel necessities of the home, the farm, the factories that are engaged in the production of such things as are absolutely necessary for the successful continuation and culmination of this war, the steel mills, the powder mills, the public utilities, the munition plants, the railroads, the steamships, shipyards, by-product, and other plants that can not be shut down or discontinued.

This is an undisputable fact.

The question which is important to impress upon your mind is that this amount of coal is not at present being produced and with this statement accepted as a fact, what is the remedy that should be applied immediately?

First. Soft coal almost without an exception when mined has to be dumped from the miner's car as it comes out of the pit or mine mouth over a tippie direct into a railroad car, and unless there is a railroad car under the tippie the miner's car, which holds about 2 tons, can not be dumped and the mine then and there is compelled to shut down. The 100 or more miners working at that particular mine will then come out, go to their homes, and produce no more coal for that day; so therefore the amount of coal that their labor could and would have produced for that particular day is absolutely lost.

It is perhaps also true that the railroad systems are so crowded with freight that under the present arrangement it is absolutely impossible for them to supply coal cars at mines with sufficient regularity, and in sufficient numbers to produce the coal necessary.

While the United States fuel administrator can and does direct unto whom the coal that is mined should be sent, unless coal is mined in sufficient quantity how will this bring relief when there is not sufficient coal on top of the earth to divide to prevent your people from suffering from cold and your necessary institutions, mills, and factories from shutting down for want of fuel?

This situation has been presented and re-presented and there have been months of pleading but no days of action. Now as it would seem that the Government of the United States is about to take charge of the direction of the transportation companies is it not timely to bring to your attention the fact that these transportation companies must be ordered, and these orders must be universally carried out, to furnish to the coal mines of the United States sufficient railroad cars to take care of the fuel needed for the purposes above specified?

Second. My personal belief is that if this is done we have sufficient man power at the mines to produce the necessary coal. If, however, the coal operators and the coal miners fall in their manifest duty to produce the necessary fuel then give the President of the United States the power to conscript the operators, the coal miners, and take over the coal mines and compel the operators and the coal miners to perform their duty with the same fidelity as is required of the soldier in the trenches who is facing the most powerful and cruel foe that the world has ever known.

We have a large number of coal mines in your State that have not been for months producing the coal they are equipped to produce or had the man power to produce, on account of the failure of the transportation companies to furnish cars, and, of course, unless some real steps are taken the production of these mines and all other mines in your State must necessarily be less on account of the increasing difficulties in the operation of the railroads for the next three or four winter months.

I have, my dear Mr. LANGLEY, given you in the above statement my frank and honest opinion of the situation as I believe it exists to-day.

Very truly, yours,

J. H. WHEELWRIGHT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution and bill of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 115. Joint resolution providing additional telephone operators for the Senate and House of Representatives; and

S. 1848. An act for the relief of contributors of the Ellen M. Stone ransom fund.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Senate, two-thirds of the Senators present agreeing thereto, agrees to the amendments of the House of Representatives to the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy.

REFERENCE OF BILLS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that H. R. 242, by Mr. RAKER, and H. R. 3371, by Mr. FRENCH, bills to protect the rights of women citizens of the United States to register and vote for Senators of the United States and Members of the House of Representatives, referred to the Committee on Election of President, Vice President, and Representatives in Congress, be referred to the Committee on Woman Suffrage.

Mr. WALSH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. Reserving the right to object, I desire to ask the gentleman from California, the chairman of the new committee recently created, if the resolutions conferring the right of suffrage on women should receive favorable consideration by the House would it be necessary for any action to be taken by the House on either of these measures?

Mr. RAKER. Presumably not; and I imagine that would be the attitude of the committee, but they claim jurisdiction, and some parties want to be heard, and the only thing is to give them an opportunity irrespective of what the committee might do; but I would say to the gentleman that when the House passes the constitutional amendment, which it undoubtedly will, I imagine there will be no reason, in fact, it would be hardly probable the committee would report this matter to the House. This, of course, can not be determined now.

Mr. WALSH. There is no intention on the part of the new committee to report in these measures before the constitutional amendment is acted upon?

Mr. RAKER. So far as I am concerned, if I can be of any assistance to the committee, it would be the purpose not to report them into the House until after the woman suffrage matter is disposed of.

Mr. WALSH. Despite that fact, does not the gentleman think it would be better to defer this matter of reference and arranging for hearings upon these measures until action is had upon the national woman suffrage amendment?

Mr. RAKER. That may be all well so far as hearings are concerned.

Mr. CAMPBELL of Kansas. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. CAMPBELL of Kansas. To inquire of the bill under consideration, whether it is the suffrage—

Mr. WALSH. Mr. Speaker, if I can not have my question answered in my own time, I shall be obliged to object.

Mr. CAMPBELL of Kansas. I simply asked for information.

The SPEAKER. The Chair supposed the gentleman from Massachusetts was through.

Mr. WALSH. The gentleman from California, Mr. Speaker, was attempting to answer the question I had put.

Mr. RAKER. In answer to the gentleman I will say that I think the jurisdiction ought to be transferred, but, to be perfectly frank with the gentlemen in the House, until that is disposed of—and I believe it will one way or the other on the 10th of January—I do not believe these hearings ought to be had upon those two bills or either of them until the matter is disposed of by the House, but now notwithstanding, in justice to the Committee on Woman Suffrage and the House, jurisdiction ought to be transferred.

The SPEAKER. Does the gentleman from Kansas have anything further to remark?

Mr. CAMPBELL of Kansas. What bill does the gentleman refer to?

Mr. RAKER. The bills I refer to now are H. R. 242 and H. R. 3371, which are practically the same, the latter introduced by Mr. French, of Idaho.

Mr. CAMPBELL of Kansas. For what do these bills provide?

Mr. RAKER. These bills are intended, as parties contend, to give to women the right to vote under the Constitution of the United States for Members of the House and Senate.

Mr. CAMPBELL of Kansas. Without regard to a constitutional amendment?

Mr. RAKER. Yes.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent, being authorized by his committee, to rerefer H. R. 242 and H. R. 3371 from the Committee on the Election of the President, Vice President, and Representatives in Congress to the Committee on Woman Suffrage.

Mr. GARD. Will the gentleman yield?

Mr. RAKER. I will.

Mr. GARD. To what committee are these now referred? Will the gentleman state the substance of the bills?

Mr. RAKER. I will. The bill 242 reads as follows. It is short.

Mr. SANFORD. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. RAKER. Mr. Speaker, I desire to present the following privileged motion. I am authorized by the Committee on Woman Suffrage to move that H. R. 242 and H. R. 3371, bills to protect the rights of women citizens of the United States to register and vote for Senators of the United States and Members of the House of Representatives, referred to the Committee on Election of President, Vice President, and Representatives in Congress, be rereferred to the Committee on Woman Suffrage.

Mr. RUCKER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUCKER. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER. Is this motion debatable?

The SPEAKER. No.

Mr. RUCKER. I hope it will be lost.

Mr. KITCHIN. Will the gentleman mind withholding that until we get through with these two very important matters that ought to be considered this morning? It could be deferred until these matters are disposed of.

Mr. RAKER. Mr. Speaker, I have another motion, a preferential one. If I will not lose my right, I will yield.

The SPEAKER. If anybody undertakes to enforce the rule strictly, if the gentleman waives his right, he will not get them back until another day. The gentleman from Tennessee [Mr. GARRETT] raised that identical point the other day.

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. Is this a preferential motion?

The SPEAKER. The motion is in order. The question is on rerefering these two bills, taking them from the Committee on the Election of President, Vice President, and Representatives

in Congress and sending them to the Woman's Suffrage Committee.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand a division.

Mr. KINCHELOE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order there is no quorum present, and the Chair will count. [After counting.] One hundred and forty-one Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those who are in favor of rerefering this bill to the Committee on Woman Suffrage will, when their names are called, answer "yea," and those opposed will answer "nay."

The question was taken; and there were—yeas 234, nays 107, answered "present" 1, not voting 91, as follows:

YEAS—234.

Anderson	Foster	Lehlbach	Rose
Austin	Francis	Lenroot	Rowe
Ayres	Frear	Linthicum	Sabath
Bacharach	Freeman	Little	Sanders, Ind.
Baer	French	Littlepage	Schall
Bakley	Fuller, Ill.	Lobeck	Sears
Barthart	Fuller, Mass.	London	Sells
Beakes	Gallagher	Lonerger	Shallenberger
Beshlin	Gandy	Longworth	Shouse
Bland	Garland	Lufkin	Siegel
Bowers	Garrett, Tex.	Lundeen	Sims
Britten	Gillett	Lynn	Sinnott
Burroughs	Glass	McAndrews	Sloan
Byrns, Penn.	Glynn	McArthur	Smith, Idaho
Caldwell	Goodall	McClintic	Smith, Mich.
Campbell, Kans.	Graham, Ill.	McCormick	Smith, C. B.
Campbell, Pa.	Green, Iowa	McCulloch	Smith, T. F.
Cannon	Greene, Vt.	McFadden	Snell
Cantrill	Griest	McKenzie	Snyder
Caraway	Hadley	McKeown	Stedman
Carter, Mass.	Hamill	McKinley	Steenerson
Chandler, Okla.	Hamilton, Mich.	McLaughlin, Mich.	Sterling, Ill.
Chandler, N. Y.	Hamilton, N. Y.	McLemore	Stinson
Church	Harrison, Va.	Madden	Strong
Clark, Fla.	Haskell	Magee	Sweet
Claypool	Hastings	Maher	Swift
Connelly, Kans.	Hawley	Mays	Switzer
Cooper, Ohio	Hayden	Merritt	Taylor, Ark.
Cooper, Wis.	Heflin	Miller, Minn.	Temple
Copley	Helvering	Mondell	Templeton
Cramton	Hersey	Montague	Thompson
Crosser	Hicks	Moore, Pa.	Tillman
Dale, N. Y.	Hilliard	Morgan	Timberlake
Dale, Vt.	Hollingsworth	Morin	Towner
Dallinger	Huddleston	Mott	Treadway
Darrow	Hulbert	Mudd	Van Dyke
Davidson	Hull, Iowa	Norton	Vare
Denison	Hutchinson	Oldfield	Vestal
Dillon	Igoe	Oliver, N. Y.	Volstead
Dixon	Ireland	Olney	Waldow
Doolittle	Jacoway	Osborne	Walsh
Dowell	Johnson, S. Dak.	O'Shaunessy	Walton
Drane	Johnson, Wash.	Overmyer	Ward
Dyer	Juhl	Padgett	Watson, Pa.
Edmonds	Keating	Parker, N. Y.	Weaver
Ellisworth	Kehoe	Phelan	Wellington
Elston	Kelley, Mich.	Porter	Wheeler
Emerson	Kelly, Pa.	Pou	White, Me.
Esch	Kennedy, R. I.	Powers	White, Ohio
Evans	Kettner	Pratt	Williams
Fairchild, B. L.	Kiess, Pa.	Purnell	Wilson, Ill.
Fairfield	King	Raney	Wingo
Farr	Kinkaid	Raker	Winslow
Ferris	Knutson	Ramseyer	Wood, Ind.
Fields	Kraus	Randall	Woods, Iowa
Fisher	Kreider	Rankin	Young, N. Dak.
Flynn	La Follette	Reavis	Zihlman
Foss	Langley	Riordan	
	Lea, Cal.	Rodenberg	

NAYS—107.

Alexander	Dickinson	Jones, Va.	Rouse
Almon	Dies	Kearns	Rubey
Ashbrook	Dominick	Key, Ohio	Rucker
Aswell	Doremus	Kinchelee	Russell
Bankhead	Drukker	Kitchin	Sanford
Bell	Dunn	Lazaro	Scott, Mich.
Black	Dupré	Lee, Ga.	Sherley
Blackmon	Estopinal	Leshner	Sherwood
Booher	Flood	Lever	Sisson
Borland	Fordney	Mansfield	Slayden
Brand	Gard	Mapes	Small
Brodbeck	Garrett, Tenn.	Martin	Stegall
Browning	Gordon	Moon	Stevens, Miss.
Buchanan	Gould	Moore, Ind.	Stevenson
Burnett	Gregg	Nicholls, S. C.	Summers
Byrnes, S. C.	Hamlin	Oliver, Ala.	Talbot
Candler, Miss.	Hardy	Overstreet	Thomas
Carlin	Harrison, Miss.	Palge	Vinson
Classon	Heaton	Park	Walker
Coady	Helm	Parker, N. J.	Watkins
Collier	Hensley	Platt	Watson, Va.
Connally, Tex.	Holland	Polk	Webb
Cooper, W. Va.	Hood	Price	Whaley
Crisp	Hull, Tenn.	Quin	Wilson, La.
Decker	Humphreys	Ramsey	Wilson, Tex.
Dent	James	Rayburn	Young, Tex.
Denton	Johnson, Ky.	Romgue	

ANSWERED "PRESENT"—1.

Butler

NOT VOTING—91.

Adamson	Eagan	Kahn	Saunders, Va.
Anthony	Eagle	Kennedy, Iowa	Scott, Iowa
Bathrick	Fairchild, G. W.	La Guardia	Scott, Pa.
Blanton	Fess	Larsen	Scully
Browne	Fitzgerald	McLaughlin, Pa.	Shackleford
Bruckner	Focht	Mann	Slemp
Brumbaugh	Gallivan	Mason	Snook
Capstick	Garner	Meeker	Stafford
Carew	Godwin, N. C.	Miller, Wash.	Steele
Cary	Good	Neely	Stephens, Nebr.
Chandler, Okla.	Goodwin, Ark.	Nelson	Sterling, Pa.
Clark, Pa.	Graham, Pa.	Nichols, Mich.	Sullivan
Costello	Gray, Ala.	Nolan	Tague
Cox	Gray, N. J.	Peters	Taylor, Colo.
Crago	Greene, Mass.	Ragsdale	Tilson
Currie, Mich.	Griffin	Reed	Tinkham
Davis	Haugen	Robbins	Venable
Dempsey	Hayes	Roberts	Voigt
Dewalt	Heintz	Robinson	Wason
Dill	Houston	Rogers	Welty
Dooling	Howard	Rowland	Wise
Doughton	Husted	Sanders, La.	Woodyard
	Jones, Tex.	Sanders, N. Y.	

So the motion was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. DILL (for) with Mr. MASON (against).

Mr. TAYLOR of Colorado (for) with Mr. SANDERS of Louisiana (against):

For the session:

Mr. STEELE with Mr. BUTLER.

Until further notice:

Mr. ADAMSON with Mr. ANTHONY.

Mr. BATHRICK with Mr. BROWNE.

Mr. BLANTON with Mr. CAPSTICK.

Mr. BRUCKNER with Mr. CARY.

Mr. BRUMBAUGH with Mr. CHANDLER of Oklahoma.

Mr. CAREW with Mr. CLARK of Pennsylvania.

Mr. COX with Mr. COSTELLO.

Mr. DEWALT with Mr. CRAGO.

Mr. DALE with Mr. TILSON.

Mr. DOOLING with Mr. CURRY of California.

Mr. DOUGHTON with Mr. DAVIS.

Mr. EAGAN with Mr. DEMPSEY.

Mr. EAGLE with Mr. GEORGE W. FAIRCHILD.

Mr. FITZGERALD with Mr. FESS.

Mr. GALLIVAN with Mr. FOCHT.

Mr. GARNER with Mr. TINKHAM.

Mr. GODWIN of North Carolina with Mr. GRAHAM of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. GRAY of New Jersey.

Mr. GRAY of Alabama with Mr. GREENE of Massachusetts.

Mr. GRIFFIN with Mr. VOIGT.

Mr. HOUSTON with Mr. HAYES.

Mr. HOWARD with Mr. WASON.

Mr. JONES of Texas with Mr. HUSTED.

Mr. LARSEN with Mr. KAHN.

Mr. NEELY with Mr. KENNEDY of Iowa.

Mr. RAGSDALE with Mr. LA GUARDIA.

Mr. ROBINSON with Mr. McLAUGHLIN.

Mr. WELTY with Mr. WOODYARD.

Mr. SAUNDERS of Virginia with Mr. MEERER.

Mr. SCULLY with Mr. MILLER of Washington.

Mr. SHACKLEFORD with Mr. NICHOLS of Michigan.

Mr. SNOOK with Mr. NOLAN.

Mr. STEPHENS of Nebraska with Mr. PETERS.

Mr. STERLING of Pennsylvania with Mr. SLEMP.

Mr. SULLIVAN with Mr. ROBERTS.

Mr. TAGUE with Mr. ROGERS.

Mr. WISE with Mr. ROWLAND.

Mr. VENABLE with Mr. SANDERS of New York.

Mr. BUTLER. Mr. Speaker, did my colleague from Pennsylvania, Mr. STEELE, vote?

The SPEAKER. He did not vote.

Mr. BUTLER. Thank you, sir. I have been paired with him. I voted in the affirmative. I want to withdraw that vote and vote present.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BUTLER, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. RAKER. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Motion by Mr. RAKER: I move that the following House resolutions proposing an amendment to the Constitution of the United States extending the right of suffrage to women be referred from the Committee

on the Judiciary to the Committee on Woman Suffrage, with jurisdiction, namely, House joint resolution No. 3, by Miss RANKIN; House joint resolution No. 4, by Mr. MOXLEY; House joint resolution No. 11, by Mr. KRAVING; House joint resolution No. 19, by Mr. HAYDEN; House joint resolution No. 34, by Mr. TAYLOR of Colorado.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. The resolutions referred to have gone to the Committee on the Judiciary. That committee has not acted upon them. It has not laid them upon the table. No action on them has been taken. Under the rule the fact that the bills are not reported would not prevent the House—

The SPEAKER. That is not a privileged matter.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. A resolution embodying the substance contained in each of these resolutions having been reported, would that make any difference in the parliamentary situation?

The SPEAKER. The Chair thinks not.

Mr. GILLET. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Massachusetts [Mr. GILLET] will state his parliamentary inquiry.

Mr. GILLET. I would like to make a parliamentary inquiry similar in nature to that made by the gentleman from California [Mr. RAKER], and that is that inasmuch as amendments exactly like this are already before the House for action, is it not a waste of time for the House to do anything about these?

The SPEAKER. If that were a parliamentary inquiry—which it is not—the Chair would say "Yes; it is a waste of time." [Laughter.]

Mr. GARRETT of Tennessee. Mr. Speaker, if the Chair will hear me for a moment, I make the point of order that the motion proposed by the gentleman from California [Mr. RAKER] is not privileged.

The SPEAKER. Why does the gentleman make that?

Mr. GARRETT of Tennessee. The Committee on the Judiciary—

The SPEAKER. I know; but I call the gentleman's attention to the fact that there are four of these things besides that one.

Mr. GARRETT of Tennessee. I was about to reach that point. The Committee on the Judiciary has reported to the House and there is now on the calendar a resolution in the express words, if I am correctly informed—

Mr. RAKER. No; they are not—

Mr. GARRETT of Tennessee. Of the several resolutions that are pending.

Mr. RAKER. Will the gentleman yield right there?

Mr. GARRETT of Tennessee. Yes.

Mr. RAKER. The resolutions are not the same. The resolution of Mr. TAYLOR of Colorado contains entirely different provisions. I will read it to the gentleman. It includes—

Mr. GARRETT of Tennessee. Oh, I do not yield to the gentleman. I would rather have the point of order overruled than yield to the gentleman to read. [Laughter.]

The SPEAKER. Each measure or bill introduced into the House is referred on its own merits.

Mr. GARRETT of Tennessee. Mr. Speaker, those matters were properly referred at the time they were referred, of course.

The SPEAKER. There is no question about that.

Mr. GARRETT of Tennessee. The rule provides that correction in case of an error of reference may be made by the House without debate, in accordance with Rule IX, on any day immediately after the reading of the Journal. I make the point of order that the reference was not made by error. The reference was correctly made.

The SPEAKER. On that point the Chair rules with the gentleman, that it was correctly made.

Mr. GARRETT of Tennessee. Then a correction can only be made in case of error.

The SPEAKER. The rule has to be construed—

Mr. SHERLEY. Mr. Speaker, I make the further point that the motion is to refer a number of resolutions, some of which are identical with the action of the resolution reported by the Committee on the Judiciary. To that extent the motion is not in order.

The SPEAKER. There is no question about that.

Mr. SHERLEY. And, not being divisible, the whole motion fails.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. The fact that the resolution that has been reported by the Committee on the Judiciary has an amendment

to it, does that make a difference in regard to the point of order made by the gentleman from Kentucky [Mr. SHERLEY]? I will state for the information of the House—

The SPEAKER. The point made by the gentleman from Kentucky undoubtedly is correct; that is, joining several together. We can take more time and dispose of them one at a time.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. I ask unanimous consent to modify the motion—to strike out all after "House joint resolution No. 3, by Miss RANKIN." Strike out all the balance of it.

The SPEAKER. What does the gentleman say to the point of order made by the gentleman from Tennessee [Mr. GARRETT], that these things were not erroneously referred, to begin with?

Mr. RAKER. Mr. Speaker, in answer to that I have given the matter some little consideration, such as my ability will permit. The rule says "erroneous." Unquestionably there was no Committee on Woman Suffrage at the time that reference was made. The House since that time has created a committee, with jurisdiction, and clearly there could be no application of that word "erroneous" now, that the House should not transfer jurisdiction upon a proper application.

Mr. WALSH. Mr. Speaker, will the gentleman from California yield?

Mr. RAKER. I yield to the gentleman.

Mr. WALSH. May I ask the gentleman in all seriousness if the purpose of having these measures referred to his committee is in anticipation of a request by him to have an assistant clerk appointed to that committee?

Mr. RAKER. That is a small question, and there is nothing in it. I will not ask anything from the House except what I think is right.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMLIN. It seems that the whole trouble comes not because these bills were erroneously referred, but because a new committee has been created. Could not this whole matter be obviated by reintroducing these bills and having them referred to the proper committee?

The SPEAKER. It could.

Mr. GILLET. Mr. Speaker, I should like to be heard for a moment, unless the Speaker is going to sustain the point of order. If he is, I do not care to be heard.

The SPEAKER. The Chair will hear the gentleman.

Mr. GILLET. It seems to me the point of order unquestionably is technically correct, since nobody can deny that technically the rule simply provides for the correction of a mistake, and here there was no mistake in the reference. Now, in case there was an injustice done, the Chair might say, "I will not give a strained and technical interpretation of the rule. I will bend it to the side of justice." But in this case there can be no injustice done. The motion which the gentleman made is obviously of no practical effect. It is for a purely sentimental or personal purpose. The gentleman can accomplish the same result in a moment by introducing himself the same resolutions and having them referred to his committee, and it makes no difference to him or to the House whether these particular resolutions lie idle in the Judiciary Committee or not. So there is no practical effect produced by his motion. Therefore it seems to me the Chair ought to sustain the obvious strict technical meaning of the words and say that this is not to correct an error.

The SPEAKER. The Chair does sustain the point of order, although it is exceedingly narrow, because the gentleman from California has his remedy. He can reintroduce these resolutions in two minutes and a half and get them referred to his committee.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. Suppose these bills are reintroduced and referred to the Woman Suffrage Committee, would a point of order then lie against their consideration on the ground that the Judiciary Committee already has jurisdiction of those resolutions?

The SPEAKER. Why, no; it would not. The ordinary practice of the House is that bills come up in the order in which they are on the calendar, and that rule goes unless the Committee on Rules brings in a rule to take a bill out of its regular order or unless somebody gets unanimous consent.

Mr. RAKER. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. After a bill has been referred to one committee and still remains in that committee, is it proper under the rules of the House to introduce a similar resolution and transfer it to another committee, if the resolution is identical? I want to be fair with the House.

The SPEAKER. The Chair has already ruled. SEVERAL MEMBERS. Regular order!

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that I may address the House for five minutes in correction of a mistake which I made a few days ago.

The SPEAKER. As soon as we dispose of a little business on the Speaker's table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HOLLINGSWORTH, indefinitely, on account of the illness of his wife; and

To Mr. JOHNSON of Washington, from January 3 to January 9.

RESIGNATIONS FROM THE HOUSE.

The SPEAKER laid before the House the following communications:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., December 18, 1917.

The SPEAKER.

House of Representatives, Washington, D. C.

SIR: I have to-day transmitted to the governor of the State of New York my resignation as a Representative in the Congress of the United States from the eighth district of New York, to take effect December 31, 1917.

Faithfully, yours,

DANIEL J. GRIFFIN,
Eighth District New York.

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 18, 1917.

To the SPEAKER.

House of Representatives of the United States,
Washington, D. C.

SIR: I have to-day transmitted to the governor of the State of New York my resignation as a Representative in the Congress of the United States from the twenty-second district of New York, to take effect December 31, 1917.

Respectfully, yours,

HENRY BRUCKNER.

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 18, 1917.

Hon. CHAMP CLARK,

Speaker of the House of Representatives.

SIR: I beg leave to inform you that I have this day transmitted to the governor of the State of Georgia my resignation as a Representative in the Congress of the United States from the fourth district of said State, to take effect on December 18, 1917, at 5 o'clock p. m.

In thus terminating my long and pleasant service in the House of Representatives I can not refrain from expressing to you, and through you to my colleagues, my profound and abiding sense of gratitude for the uniform courtesy, kindness, and cooperation so generously accorded me by all.

Respectfully,

W. C. ADAMSON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 117. Joint resolution amending the act of July 2, 1909, governing the holding of civil-service examinations.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1848. An act for the relief of contributors of the Ellen M. Stone ransom fund; to the Committee on Claims; and

S. J. Res. 115. Joint resolution providing additional telephone operators for the Senate and House of Representatives; to the Committee on Appropriations.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, December 18, 1917.

Hon. CHAMP CLARK,

Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Alcoholic Liquor Traffic, to take effect when the same is accepted.

Yours, respectfully,

FRANK CLARK.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. KITCHIN. Mr. Speaker, some time ago the gentleman from Illinois [Mr. McCORMICK] was given an hour to address the House this morning. With his permission I ask unanimous consent that instead of this morning the gentleman be granted an hour to address the House immediately after the reading of the Journal on January 7.

The SPEAKER. The gentleman from North Carolina asks unanimous consent, with the permission of the gentleman from Illinois [Mr. McCORMICK] that the date of his address be changed from to-day until the 7th day of January just after the reading of the Journal and the cleaning up of business on the Speaker's table, not to interfere in any way with privileged matters. Is there objection?

There was no objection.

ELECTION TO A COMMITTEE.

Mr. KITCHIN. Just one other matter, Mr. Speaker, I move the election of WILLIAM B. WALTON as chairman of the Committee on Expenditures in the Department of Justice.

The SPEAKER. Are there any other nominations? If not the Chair will put the question.

The motion was agreed to.

EXPENSES OF FIRST LIBERTY LOAN.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. GILLETT. Mr. Speaker, on last Friday, in discussing the inability of this House to keep track of expenditures, I stated as one of the evidences of secretiveness on behalf of the administration the fact that Secretary McAdoo had not given to the House, as he had assured the Committee on Ways and Means that he would, the expenditures that he had made in selling the first liberty loan bonds.

I received this morning a letter from the Secretary of the Treasury expressing surprise at my statement and calling my attention to the fact that he had made such a report and inclosing it. I find that on December 11, three days before I spoke, it was made and referred to the Committee on Expenditures in the Treasury Department and ordered to be printed. So that it was undoubtedly in print at the time I made my remarks, and I wish to make that as public as my criticism.

In that connection it seems to me only fair that I should add that the statement which he submitted to the House is simply contained on one sheet of paper. It has only 30 or 40 items to account for the expenditure of over \$2,000,000, and to my view does not at all meet the needs which this House is under if it is to know what the expenses of the administration are.

Mr. LONGWORTH. To what committee did the gentleman say the report was referred?

Mr. GILLETT. To the Committee on Expenditures in the Treasury Department.

Mr. LONGWORTH. Will the gentleman put the report in the Record?

Mr. GILLETT. It is printed and is a public document. I will put the report in the Record, but it will not give much light to anybody.

Mr. JOHNSON of Washington. Does it include the expenses of special trains?

Mr. GILLETT. The whole expense of traveling is something over \$8,000 and is put in one item.

Mr. JOHNSON of Washington. And it does not show any special trains?

Mr. GILLETT. No; it discloses nothing but the total expense. The salaries run up to over \$85,000 and they are in one item. The printing and binding is something over \$50,000, and that is in one item. That is not the kind of report which I think this House is entitled to. That does not tell us whether the money was wisely and properly expended. I would not intimate that it was not, but this is exactly the kind of report that would be made if it was wished to conceal something. In view of the liberality of the House in its appropriations that is not the return we should expect.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. HAMILTON of Michigan. Does the gentleman know where the printing and binding was done?

Mr. GILLETT. No; nothing is said about it, and I do not know. Here is simply one sheet, and while I did make a technical mistake when I said the report had not been made, this is not in my opinion an accurate, detailed report such as this

House is entitled to. Now, Mr. Speaker, I ask unanimous consent to print the report or statement in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to print the report in the RECORD. Is there objection?

There was no objection.

Mr. NORTON. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. NORTON. Does the gentleman know whether the Secretary made an itemized report to the Committee on Expenditures in the Treasury Department?

Mr. GILLETT. This is undoubtedly the only report made. If there was another report made to the committee the committee would have printed it. I assume that this is the only report made.

The letter of the Secretary of the Treasury with the statement is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, December 3, 1917.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Sir: In accordance with the provisions of section 8 of the act of Congress approved April 24, 1917 (Public No. 3, 65th Cong.), I have the honor to transmit herewith a statement of expenditures under said act as far as such expenditures have been submitted to the department up to December 1, 1917.

This statement does not cover complete accounts, for the reason that all bills from the Federal reserve banks have not yet been transmitted to the department, other outstanding bills have not yet been received for payment, and the work in the Bureau of Engraving and Printing and other branches of the Treasury Department in connection with the bonds issued under said act has not yet been completed. As soon as the work is finished and the accounts are rendered and paid a complete classified and detailed statement will be submitted to the Congress.

Respectfully,

W. G. MCADOO, Secretary.

Statement of expenditures to Dec. 1, 1917, under the act of Apr. 24, 1917 (Public No. 3, 65th Cong.).

Certificates of indebtedness:		
Distinctive paper	\$2,443.05	
Engraving and printing	12,723.90	\$15,166.95
Bonds and interim certificates:		
Distinctive paper	164,826.72	
Engraving and printing	393,601.84	558,428.56
Publicity:		
Posters and stickers	70,029.46	
Buttons	21,777.64	91,807.10
Equipment:		
Furniture	7,200.57	
Typewriters	4,119.13	
Labor-saving machines	10,993.12	22,312.82
Insurance on transportation of bonds and certificates		25,846.59
Supplies, stationery, etc.		27,112.07
Woman's Liberty Loan Committee		1,419.43
Expert assistance		1,681.21
Traveling expenses		8,644.90
Expressage and postage		8,251.32
Stenographic reporting		414.00
Telegrams		85,495.53
Telephones		469.50
Salaries		85,346.04
Newspapers, directories, etc.		258.21
Repairs and moving		360.80
Vault work		1,082.20
Printing and binding		58,256.78
Miscellaneous		727.41
Federal reserve banks:		
Atlanta	\$25,009.67	
Boston	98,752.56	
Chicago	170,850.01	
Cleveland	99,086.93	
Dallas	20,683.35	
Kansas City	30,253.85	
Minneapolis	40,576.54	
New York	278,043.73	
Philadelphia	79,430.11	
Richmond	23,710.46	
St. Louis	53,408.88	
San Francisco	128,659.76	1,048,465.85
Total of accounts so far submitted		2,041,547.27

PROHIBITION AMENDMENT.

Mr. WALSH. Mr. Speaker, I rise to ask unanimous consent that Members be allowed within five legislative days to extend their own remarks without the inclusion of telegrams, letters, or editorials, upon the national prohibition amendment to the Constitution.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that all Members shall have the right to print their own remarks on the constitutional amendment agreed to yesterday by the House, excluding telegrams, letters, and editorials, and so forth. Is there objection?

Mr. MORGAN. Mr. Speaker, I object.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on prohibition and woman suffrage.

Mr. WALSH. I object.

COMMITTEE ON EXPENDITURES IN NAVY DEPARTMENT.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to call up the resolution authorizing the Committee on Expenditures in the Navy Department to send for persons and papers.

The SPEAKER. The Chair announced yesterday that during the extra session, on account of the great confusion and pressure and the agreement not to pass anything except for war emergency, he violated the rule for six months and recognized Members for unanimous consent, but that he was not going to do it any longer.

Mr. HARDY. But this is a resolution—

The SPEAKER. The Chair understands perfectly what it is. Mr. GARRETT of Tennessee. I should object anyway, Mr. Speaker.

The SPEAKER. All Members are under obligation to observe the rules of the House, and the Speaker most of all.

WOMAN SUFFRAGE COMMITTEE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the membership of the Woman Suffrage Committee be increased to 14. That is an increase of 1 as the membership is now 13, and that the gentleman from New York [Mr. LONDON] be made a member of that committee.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to increase the number of the Committee on Woman Suffrage to 14, and that the gentleman from New York [Mr. LONDON] be the additional member.

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, the Committee on Rules has given very careful attention to the organization of this committee. I, of course, was opposed to it, but a great majority of the committee was for it. That committee very carefully considered the number of which it should be composed and acted upon it after due consideration. I do not think that this should be done by unanimous consent, and I object.

WAR EXCESS-PROFITS TAX.

Mr. KITCHIN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House joint resolution 195, amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress.

The SPEAKER. The gentleman from North Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House joint resolution 195.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. WATSON of Virginia in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc. That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, is hereby amended to read as follows: "(a) In the case of officers and employees under any State, or local subdivision thereof, the compensation or fees received by them as such officers or employees."

SEC. 2. That section 209 of such act of October 3, 1917, is hereby amended by adding a paragraph to read as follows:

"The income of officers and employees under the United States, including Members of Congress (but not including the present President of the United States during the term for which he has been elected, nor the judges of the Supreme and inferior courts of the United States in office at the time of the passage of this amendment), received as compensation or fees by them as such officers, employees, or Members, shall be taxable under this section for the calendar year 1917 and each year thereafter; but a nonresident alien officer or employee of the United States shall be entitled to the same deduction as a resident of the United States."

Mr. KITCHIN. Mr. Chairman, under the present revenue law, passed at the last session, the provisions of the excess-profits tax do not apply to governmental officers and employees; that is, Federal, State, county, and city officers and employees. There is considerable doubt in the minds of lawyers in the House, in the Treasury Department, and elsewhere whether Members of Congress are included in the provisions excepting such officers from the operation of the excess-profits tax title. This resolution proposes to specifically include within the provisions of such tax—that is, to make subject to the excess-profits tax—all Federal officers and employees, including Members of Congress. This would make it clear and remove all doubt.

No sections or provisions of any act have ever been more misrepresented than has this exception provision and section 209 of the revenue act.

A lot of demagogues who want to come to Congress, who want to succeed some Member of the House upon either side, and the

press almost generally, have deliberately, willfully, and maliciously misrepresented these provisions, the authors of the act, and the conferees that reported it to the House and to the Senate. They have declared repeatedly, the press a thousand times over, that Members of Congress taxed the income of everyone else in the country but exempted their own incomes from taxes. There is not one word of truth in that. This new revenue act taxes the incomes of Members of the House and Senate three times more than they were taxed before.

The press has declared a thousand times over that Members of Congress exempted their own salaries from the excess-profits tax, but subjected the salaries of all others to the tax. It would have the public believe that Members of Congress specifically exempted their salaries from the tax. There is not one word of truth in that. The act does not specifically exempt the salaries of Members of Congress, and in the opinion of some of the best lawyers in this House, including the gentleman from Iowa, Mr. TOWNER, and the gentleman from Iowa, Mr. GREEN, both of whom have given diligent study and thought to the subject, in the opinion of some of the best lawyers in the Treasury Department, salaries of Members of Congress are not exempted from the excess-profits tax, and they will have to pay both the income and the excess-profits taxes, with respect to their salaries. The provision relative to the exemption of salaries of governmental officers from the excess-profits tax applies generally to all governmental officers, including Federal officers, State, county, and city officers—that is, the governors of the States, the judges of the States, the mayors of cities, the sheriffs, clerks, all officers of the State and county and city, and all officers under the United States Government, the District of Columbia or Territories of the United States. In the opinion of many eminent lawyers, a Congressman, a Member of the Senate or of the House, is not, under the Constitution, such an "officer of the United States" as would include his salary in the exemption. When the conferees decided on section 209 they left in the exception of governmental officers. That was already in the Senate exception or exemption amendments, as was also an exception or exemption of salaries of lawyers, doctors, and other professional men. As far as the House bill was concerned, individuals were not included in the excess-profits tax provisions at all, and therefore no salaries or profits in business or other income of individuals, whether officers or not, whether business or professional men, were subject to the tax. The Senate insisted on retaining its amendments including individuals in the excess-profits tax provision. The House opposed it, but finally yielded, as was pointed out by me in presenting the conference report to the House. As the individual merchant, farmer, banker, lumberman, mechanic, and so forth, were thus made subject to the tax, the conferees thought it but just that the lawyer, doctor, and other professional man and salaried business man should be made subject to the tax, and so section 209 was put in the bill and adopted by Congress. This left the exception of salaries of governmental, Federal, and State officers and employees standing as it was in the Senate amendments. The question of excepting or exempting salaries of Members of Congress was never suggested or discussed in the conference.

I may say here that other governments that have excess-profits taxes—and there are 12 or 14 in addition to the United States—except from the operation of the excess-profits tax salaries of governmental officers and employees, upon the ground that a governmental office is not a business or a trade or a profession or a calling pursued for private profit, as is the profession of a lawyer or a doctor or the business or occupation of an officer of a corporation or other person getting a salary in business. The salaries of officers of corporations, as, say, the president of a bank or of a steel corporation, are for gain, for private profit. The work done is for the benefit of the institution, which is carried on for private gain. The more efficient the officer of a corporation or the business-salaried man the more time he gives, the more thought he bestows upon the business, the more he makes for the corporation or business, the more his salary is increased. Every minute of his time is given for private gain for himself and for the institution for which he is working, while a governmental office is for governmental purposes, in performance of governmental functions, and the time and service given by the officer is not for himself, not for his private gain, but for the use and benefit of the Government and the public. It makes no difference how efficient the officer may be, how much he may save the Government, how much he makes for the Government, he gets no more than a fixed salary, no more than a man who causes loss to the Government. Take, for instance, the gentleman from Illinois, Mr. CANNON, when he was chairman of the Committee on Appropriations, or take the gentleman from New York, Mr. FITZGERALD, lately chair-

man of the Committee on Appropriations. By their labor and time and study and thought they may have saved the Government—as they have—millions and millions of dollars, while others of us, instead of saving the Treasury millions of dollars may have caused loss to it of millions of dollars. Nevertheless, they get no more salary than those that caused loss.

The salaries are paid not for the benefit of the officer, but for the benefit of the Government. That is the reason why other Governments do not subject salaries of Government officials to excess-profit taxes.

By the resolution we make it clear and specific that we do include Members of Congress and Federal officers and employees. Hereafter, by the passage of this resolution, no paper, no magazine, no demagogue, can have a pretext to misrepresent the provision of the act or the authors of this bill or Congress, or the present Member of Congress whose seat some demagogue may desire. I hope this will pass unanimously. [Applause.]

Under leave to extend my remarks I print below a letter to the New York Sun, in which I discuss section 209:

SCOTLAND NECK, N. C., October 30, 1917.

NEW YORK SUN,
New York, N. Y.

DEAR SIR: Section 209 of the new revenue act, to which your letter received this morning refers, reads as follows:

"That in the case of a trade or business having no invested capital or not more than a nominal capital there shall be levied, assessed, collected, and paid, in addition to the taxes under existing law and under this act in lieu of the tax imposed by section 201, a tax equivalent to 8 per cent of the net income of such trade or business in excess of the following deductions: In the case of a domestic corporation, \$3,000, and in the case of a domestic partnership or a citizen or a resident of the United States, \$6,000; in the case of all other trades or business, no deduction."

Some lawyers, doctors, high-salaried business men, and editors have strenuously objected to this section and bitterly assailed and denounced its authors, because it includes in the application of the excess-profits tax provisions the income or profits of their professions and employments, contending—

1. That it discriminates against the lawyers, doctors, and other professional men in favor of other classes of citizens.

In the remarks of Senator SIMMONS, presenting the conference report to the Senate, in the CONGRESSIONAL RECORD of October 16, 1917, appears the following, relative to section 209:

"When we decided to include occupations and professions the question of how to determine the deduction to be allowed greatly perplexed us. There was no invested capital, and therefore no basis upon which to make such a calculation as in the case of individuals, partnerships, or corporations engaged in trade or business requiring the investment of capital. So we decided that in the case of the business or the occupation without invested capital, or merely nominal capital, as it was impractical to apply the exemption based on capital, we would impose a flat tax of 8 per cent upon their earnings during the taxable year, less the flat exemption allowed in other cases."

"It is said that this imposes a double income tax upon occupations or professions doing business with only a nominal capital, and that it works a discrimination in favor of corporations, partnerships, and individuals doing business with capital. This suggestion is based upon a misapprehension and is unwarranted."

"The rate of taxation applied in the case of invested capital is graduated, the minimum rate being 20 per cent and the maximum being 60 per cent."

"The tax imposed upon individuals, partnerships, and corporations engaged in business without invested capital is, in essence, just as in the other case, an additional income tax, with the flat exemption of from \$3,000 to \$6,000 allowed as in the other case, but from necessity without the exemption based upon invested capital, because there is no capital invested as in the other case. It may be that his arrangement does not accurately adjust the differences between the two cases, but it is confidently believed if there is any discrimination it is not a discrimination against business without capital. Not a discrimination against the professional man or the occupation without invested capital."

"The confusion about this matter seems to grow out of the impression that the tax now levied is a war tax, a tax based upon the actual difference between the net earnings during the prewar period and the taxable year. That was true of the bill as it was originally reported back to the Senate by the Finance Committee, but that is not true of the bill as amended, limiting the exemption to not less than 7 per cent or more than 9 per cent of the invested capital."

"As I stated this morning, in our efforts to bring the professional man under the provisions of this bill and subject his earnings to a tax, just as we had the farmer and the mechanic and the merchant and everybody else, we found ourselves hedged in by a great many limitations and difficulties. After we had discussed one or two schemes and practically fixed upon one, we finally abandoned it and adopted one to which the Senator refers and criticizes as the best means of reaching that class of earnings."

"The purpose of the conferees was to subject occupations and professions having no invested capital to this war tax, just as those with invested capital were subject to it. If there had been the same basis of exemption in the one case as in the other we would have allowed a like exemption and imposed like rates of taxation, but because of the necessity of the case this could not be done, and because there was no such basis of exemption we imposed a tax very much lighter on business conducted without invested capital—a flat rate of only 8 per cent, as against a graduated rate upon profits over a maximum of 9 per cent of from 20 to 60 per cent on ordinary business. I do not think the professional man has any right to complain."

In my remarks, presenting the conference report to the House, in the same issue of the CONGRESSIONAL RECORD, appears the following, relative to such section:

"In the House bill the excess-profits tax applied only to corporations and partnerships and not to individuals. The Senate included individuals in its amendments. It made the individual merchant, farmer, banker, lumberman, miner, manufacturer, and every other class

of individuals in trade or business subject to the excess-profits tax. But it exempted from the tax the incomes of lawyers and doctors and other professional men derived from the profession; also salaries of officers and employments, including the salaries of business occupations, as well as those of governmental officers. The House conferees opposed the inclusion of individuals in the excess-profits-tax provision, for the reasons I have before given. The Senate conferees insisted upon including them, but agreed to grant them a specific deduction of \$6,000 plus the deduction of the per centum of profits made on invested capital, if any, the same as is given to corporations and partnerships.

"After much consideration, the conferees unanimously agreed that there should be no exemption from the tax of lawyers, doctors, civil engineers, or other professional men, or the high-salaried business men. So the conferees, after mature deliberation and after a special conference committee meeting called for the purpose of considering the matter, unanimously agreed on section 209.

"A prior section defines trade or business to include professions and occupations. There is not a more proper or just provision in the entire bill than this one. If the individual farmer, merchant, banker, miner, lumberman, manufacturer, and every other class of individuals in trade or business are made to pay the tax, why should not the lawyer, the doctor, and other professional men who make a profit or income in their profession of over \$6,000 be also made to pay? Why should not the high-salaried business man be made to pay?

"What good reason can be given why the farmer and merchant and manufacturer should be made subject to the tax and the lawyer, doctor, and other professional man be exempt from the tax?

"The only fair and reasonable objection that can be made to the provision is that the tax is not high enough to equalize the tax which the farmer, merchant, and manufacturer have to pay. They must pay from 20 to 60 per cent of their income or profits in excess of their deductions, while the professional man and high-salaried business man will pay only 8 per cent on their income in excess of their deductions. Of course, the farmer, merchant, or manufacturer has a large deduction on account of having substantial capital invested, but this deduction will not reduce his tax to as low as that of the lawyer, doctor, or other professional man.

"It is suggested that the lawyer, doctor, or other professional man should not be taxed, because his income is derived from his brain and time and personal qualification. Does not the farmer, merchant, or manufacturer carry to his business his personal qualification? Does he not devote to his business his brain and time, and, in addition, put capital in money and property into it? Is not his income or profit derived from the combination of his brain and time and capital? It is said that the professional man is taxed under the income-tax law on his income and that it is unjust to levy another tax in the nature of an excess-profits tax on his income or profits, that it is double taxation. Is not the farmer, merchant, or manufacturer, or other individual in trade or business, taxed on his income under the income-tax law exactly as the lawyer, doctor, or salaried business man is, and is not an excess-profits tax levied, in addition to the regular income tax, on his profits or income? If such a tax is just in case of the farmer, merchant, and manufacturer, why is it not just in case of the lawyer, doctor, or other professional man?"

As suggested by Senator SIMMONS in his remarks in the Senate, and by me in my remarks in the House, if there be an injustice, an inequality, a discrimination in section 209, it is in favor of the lawyer and other professional man and salaried business man. For instance: A, an individual farmer, merchant, or manufacturer, puts into his business, in addition to his personal services, his brains and labor, \$100,000 capital. He makes a net profit or income of \$25,000. The excess-profits tax to be paid by him is \$3,400. B, an individual lawyer or doctor or other professional man, puts into his business or profession no capital, but only his personal services, his brains, and labor. He makes the same profit or income of \$25,000. The tax, under section 209 (the excess-profits tax provision applicable to him), to be paid by him is only \$1,520.

If the net income of A, from his business in the case given is \$50,000, his excess-profits tax will be \$17,200. If the net income of B the lawyer, from his profession is \$50,000, his tax under section 209 will be only \$3,520.

The merchant, farmer, manufacturer, or other individual business man puts into his business exactly what the lawyer, doctor, or other professional man (taxable under section 209) does, his personal services, his brain, and labor, and in addition puts in money and property, takes financial risks, makes financial sacrifices, builds up industry, gives employment to labor, produces for public use.

The lawyer, doctor, or other professional man (taxable under section 209) puts into his profession or occupation no money, no property, but only his personal services, his brains, and labor, and by such services takes no financial risks, makes no financial sacrifices, builds up no industry, gives no employment to labor, produces nothing.

It is inconceivable how any fair-minded lawyer or editor or other person can reason to himself the justice of levying an excess-profits tax on the income from the business of the one and of exempting from the tax the income from the profession or business of the other.

It should be remembered that this excess-profits tax applicable to the farmer, merchant, manufacturer, and other individual in business against which no protest was made by the lawyers, doctors, and editors, is in addition to the regular income tax just as is the tax under section 209, and such farmer, merchant, manufacturer, or other individual business man pays on his net income tax, at the same rate, as does the lawyer, doctor, or other professional man on his net income.

2. That it discriminates against the salaried man; that it is unfair and unjust to levy a tax in the nature of an excess profits on a business or occupation salary earned by personal service—by brains and labor.

By including individuals in the excess-profits tax provision of the revenue act, to which the House conferees were opposed, for the reasons set out in my remarks presenting the report to the House, the value of the personal services, of the brains and labor, given to his business by the individual merchant, farmer, manufacturer, and other individual engaged in business, with invested capital, was necessarily taxed thereby. Though the total income of his business is derived from a combination of his invested capital and his personal services, he is not allowed by law to separate from such income that portion earned by his personal services, his brains and labor, and to pay himself a salary for the value thereof, charging it up as part of the operating expenses of the business, as he could do if his business was incorporated. His personal services, in the management of the business, earns a part of the income and has a value just as much so as if he was employed by some corporation to perform the same services and paid therefor by fixed salary. Not being allowed to deduct the value

of or earnings from such services as part of the expenses of his business, in levying the tax on the total net income or profits, his earnings from such services are thereby taxed under section 201 at the rates ranging from 20 to 60 per cent, according to the amount of the per cent of profits made on his invested capital.

The business man with a salary in excess of \$6,000—the amount of the specific exemption allowed—is generally, in at least 19 cases out of 20, both an officer or employee and a shareholder in, or part owner of, the business concern paying the salary, and very frequently he is substantially the sole owner or controller of it. The concern, being a corporation, can value his personal services, fix and pay a salary therefor, and deduct same from the operating expenses of the business, and thus escape to the amount of the salary the payment of the excess-profits tax of section 201. For instance, A carries on business as an individual, has \$100,000 invested, manages it, devoting his personal services to it. He makes a profit of \$25,000. B incorporates, with a few other stockholders—perhaps his wife and daughter—to comply with the State law, incorporated, he conducts same kind of business, devotes to it his personal services, has same amount of capital and makes same profit of \$25,000. The services rendered by each to the respective businesses are of same nature and value, those of each worth \$10,000.

B, as an employee and manager of his incorporated business, is allowed to deduct the value of his services in a salary of \$10,000 from the \$25,000 profits and to charge it up to operating expenses. His business pays an excess-profits tax only on \$15,000, or a tax of only \$1,000; while individual A, manager of his business, not being allowed to charge up to expenses the \$10,000 value of his services, pays on the whole \$25,000, or a tax of \$3,400—computation in both cases made on the 7 per cent exemption basis plus the specific exemption. B's salary would escape altogether the payment of any excess-profits tax but for section 209, and even under this he pays on his \$10,000 salary only \$320; while A, on his earnings from his personal services in the business, though in nature and value the same as B, pays under section 201 over three times as much as B.

The case would not be altered if B had no interest in the business or owned no stock in the corporation, but was employed by it, and paid for his personal services a salary of \$10,000. He would pay only \$320 tax on the earnings from his personal services, while A would pay more than \$1,000 on like earnings from his personal services, they being in law inseparable from the total profits or income of his business.

It seems incredible that an intelligent, fair-minded man should approve the levying of the larger tax on A and denounce as unjust and discriminatory the levying of the smaller tax on B.

How can any one justify subjecting A to the tax and exempting B from the tax?

3. That it discriminates against earned income in favor of unearned income, requiring the earned to pay a larger tax than the unearned income.

Earned income means, according to the assailants of section 209, income derived from personal services or activities of the recipient of the income. Unearned income means income derived from investments, with respect to which no personal service or activity is contributed by the recipient.

A distinguished Senator first suggested this "discrimination" during the discussion of the conference report in the Senate, saying:

"I think an injustice is inflicted upon the man who earns his income by his own efforts as compared with the man who does not earn his income at all, but sits at a desk and clips coupons or cashes dividend checks."

To illustrate the injustice he, as many others have done, recited by comparison the case of the hard-working lawyer earning an income by his own efforts and the man who received an equal income by doing nothing except cashing his dividend checks, and then asserted that the lawyer was required by section 209 to pay a larger tax.

The facts is, the lawyer pays less tax than the "dividend-check casher."

The so-called unearned income is derived from two sources: (1) From interest on money loaned on bonds, notes, or other securities; and (2) from dividends on stock or shares in a corporation or association.

If one has \$100,000, generally accumulated earnings of preceding years, and instead of going actively into business he is content to loan it out on bonds or notes at the small profit, which the low interest rates laws of the States only permit, there is and can be no excess profits to be taxed. He has capital to the amount of \$100,000 invested in the bonds, notes, or other securities, and the interest does not amount to as much as the per cent (from 7 to 9 per cent) exemption allowed.

If he invests that amount in an active business, corporate or otherwise, and its profits or income do not exceed the exemptions allowed, there would be no excess to be taxed.

Can it be reasonably contended that money invested in loans, whose small per cent of income is limited by interest laws, should have a smaller exemption and a higher rate of excess-profits tax than money invested in business with prospects of large or excessive profits, with no law limit to its income? If so, there would and could be no lending of money—no investment in bonds, notes, or other securities by individuals. Interest from money loaned, of course, pays the regular income tax, like all other forms of income.

So much for the "coupon-clipper" argument.

Now, as to the dividend-check casher.

If one invests \$100,000 in the capital stock of a corporation, the corporation, under the act, pays the excess-profits tax (from 20 to 60 per cent) on the earnings or income of that \$100,000 for him before he gets a dollar of dividends. Should he be made to pay the second time the heavy excess-profits tax on the earnings of his \$100,000, when the dividends, already lessened by the payment of the tax by the corporation, are turned over to him? The law does not and should not require him to again pay the tax.

Instead of the "dividend-check casher" paying less tax under the excess-profits tax provisions on his so-called "unearned income" than does the lawyer or other professional or business salaried man on his "earned income" from his own efforts, he pays much more.

For instance, A invests \$100,000 in a \$200,000 capital-stock corporation. The corporation makes 25 per cent net profit, or \$50,000. A's \$100,000 earns half of it, or \$25,000. The corporation under the act pays for the stockholders, before they are entitled to dividends, an excess-profits tax of \$8,000. A's \$100,000 investment pays half of it; that is, A pays through the corporation on his income of \$25,000 an excess-profits tax of \$4,000. Should he be made to pay it again when the dividends, diminished to the extent of the tax, are turned over to him?

B, a lawyer, makes from his profession, from his personal services, \$25,000, the same amount A makes by his investment. B under section 209 pays a tax of only \$1,520 on his \$25,000 "earned income," about one-third as much as A pays on his so-called "unearned income."

It should be recalled in this connection that, with respect to the income tax, A through the corporation pays under the act on the earnings of his investment—that is, on his \$25,000 income—a normal tax of 6 per cent, without exemptions, while B, on his income of \$25,000, pays a normal income tax of only 4 per cent, with exemptions.

And so much for the "dividend-checks-casher" argument.

It should not be overlooked that section 209 applies not only to professional and business and occupation salaried persons, without capital invested in their professions or occupations, but to other individuals, partnerships, and corporations that carry on any business or are engaged in any trade or occupation with no or only a nominal capital invested.

Answering your direct question relative to the repeal of section 209 at the next session of Congress, I beg to say: If the application of the excess-profits tax provision to individuals (which I opposed) is retained, section 209 should not be repealed but amended, providing for the increase of the tax rate therein so as to more nearly equalize the tax paid by the class of individuals subject to such section with the tax paid by the class of individuals subject to section 201 of the act.

Permit me, in conclusion, though your letter made no reference to it, to allude to the false charge persistently made by some demagogues, a few lawyers and doctors, and many editors, that in the new revenue act "Congress exempted from taxes the salaries of Congressmen."

Under the new act Congressmen will pay three times more income tax on their salaries than before. They will pay both the rates under the act of September 8, 1916, which doubled the previous rates, and the rates under the new act, which more than doubled the rates of the act of September 8, 1916.

With respect to the "excess-profits tax" of the new act, these demagogues and the press would have the public believe that the Congress and Congress specifically exempted the salaries of Congressmen from the tax, but taxed all other salaries.

Here is the provision of exemption of salaries (sec. 201, subdivision a): "This title shall apply to all trades or businesses of whatever description, whether continuously carried on or not, except—

"In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees."

This exception applies to the salaries of all officials of the United States or States, counties, cities, etc., and properly so in the unanimous opinion of the entire conference. No member of the conference—and, perhaps, no Member of Congress when he voted for the bill—discussed or had in his mind the salaries of Members of Congress. The conference, and so had the Senate before, considered the broad question whether it was proper as a policy to exempt from the excess-profits tax the salary of Federal, State, county, and city officials.

There is a difference between the income tax and the excess-profits tax.

The income tax is imposed upon individuals and corporations with respect to their entire income, including salaries of Congressmen and all other Federal officials.

The excess-profits tax is a tax upon the business, trade, profession, or occupation of the individual, partnership, or corporation with respect to the profits or income of such business, trade, profession, or occupation in excess of certain exemption or deductions.

What kind of "business" or "trade" or "profession" or "occupation" is the office of governor, judge, clerk of court, mayor of city, secretary of state, Representative or Senator? It is neither a business, trade, profession, nor occupation. What is the excess profits of a governor's salary? Of that of a judge, clerk of court, member of the Cabinet, of a Congressman?

An official (especially one whose salary is as much as \$6,000—and this is the exemption under sec. 209) gives his time, industry, and brains, not to his profession, business, or trade, for the promotion of such trade, business, or profession, and for private profits as does the lawyer, doctor, and high-salaried business man, but to the service of the Government, Federal, State, county, or city. However efficient, however much time given, however valuable the service rendered, they are for the Government, for the public, and he gets no more compensation than the fixed salary of the office. Not so with the professional man or high-salaried business man (the latter generally a high-salaried officer in his own business—his own corporation). His time, his labor, his brains are devoted solely for himself—his private profits. The more time, labor, brains bestowed the more efficient, the more service rendered, the more he serves himself, his profession or business, and the more are his private profits.

The duties of an official, whether Federal, State, or municipal, whose salary exceeds \$6,000 (the exemption in sec. 209) practically debar him from engaging in a business or a profession for private profits, and this privilege he sacrifices when he takes office. However, if a Member of Congress or other official receives income from a business or profession, he is not exempted from the excess-profits tax with respect to such income, as that comes from a business or trade or profession devoted to making private profits.

There is a difference in principle in levying an excess-profits tax on the business, trade, profession, or occupation organized and carried on for private profits than levying such a tax on the salary of an office established and conducted for governmental purposes, the service going to the benefit of the Government, of the public, and the official by his duties practically debarred from engaging in such business or profession for private profits.

Having given some of the reasons which justify the exception of governmental salaries in the application of the excess-profits tax, and being perfectly willing to assume full share of responsibility for it, I will say that I was not the author or suggester of such exception or exemption, as the press so frequently charges, nor do I oppose, nor have I opposed, the inclusion of the salaries of Congressmen or other Federal officials in the excess-profits tax provision.

Yours, truly,

CLAUDE KITCHIN.

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, when I make a mistake as a Member of this House and am conscious of it I am willing to admit it, but I am not willing to make a confession of error when I am not conscious of it merely to satisfy a false

public opinion. In voting for this war-tax bill I voted to hold Members of Congress to its terms. Neither in conference nor in the House did I vote to exempt Members of Congress from any responsibility placed upon other salaried men or profit earners of a like class.

The act of September 18, 1916, which is law in force, imposed upon Members of Congress a 2 per cent tax upon the normal income of married men earning over \$4,000. If they earn in excess of \$20,000 it imposes upon them a supertax. The act of October 3, 1917, imposed upon Members of Congress an additional normal tax of 2 per cent upon all they earn (married men) over \$2,000 and in addition a supertax of 1 per cent upon everything they earn over \$5,000. In addition the act grouped Congressmen with another class of citizens to be taxed for excess profits and fixing their capital of \$6,000, which is the amount of exemption granted to everybody, taxed them 8 per cent on all earnings above that amount. Now, that is what you Members of Congress have to pay. If you want to confess you exempted yourself, that, at least, is what you have to pay. I make no such confession. I am liable to 2 per cent normal tax under the act of September, 1916, to an additional 2 per cent tax under the act of October 3, 1917, and I am liable, as is every other salaried, occupational, or professional man, for 8 per cent tax on everything I earn over \$6,000. The so-called salaried or professional man receives no better treatment than I receive, nor do I receive any more or less than he receives.

Now, as to this fanfare that has given Members of Congress so much unjust criticism:

The whole war-tax bill is sufficiently intricate to puzzle even the lawyers who helped to frame it. As a layman I am willing to amend it or to wipe it out entirely, if assured that the United States can pay its obligations without taxing anybody. I am not willing to concede, however, that we can beat an efficient nation like Germany by making patriotic speeches or publishing cartoons ridiculing the Kaiser. The people of this country must pay for the war, which some of us think should be prosecuted more vigorously than it is in view of the tremendous appropriations that have been made. We have already appropriated approximately \$21,000,000,000, but judging from the importance which many people attach to the question of taxing Congressmen's salaries it would seem that we had been endeavoring to camouflage the country. This is the most arrant bit of nonsense that has come along since the war began, but occasionally, under stress, Members of Congress, like many other patriots, sometimes get cold feet when the pen that is mightier than the sword is directed toward their districts. This war-tax bill, intricate and burdensome as it is, never exempted Congressmen from taxation. It taxed them along with certain professional and business men, and on the same terms. If there was any loophole whatever through which Members of Congress could escape taxation it was as to the difference between the \$6,000 exemption allowed to everybody on excess-war profits and the salary of \$7,500, a matter of about \$40,000 in all, but since Congressmen are not Federal officials under the Constitution and are not State officials, they were not entitled to even this exemption. But lawyers who make fees above \$6,000 were touched by this law, and such editorial writers as make over \$6,000 were also touched, and therefore "the brains" of the country "were unduly taxed." Those who vote for the amendment now before the House will not relieve these "brains" of war excess-profits taxes; they will simply defer to that enthusiastic group of patriotic pikers in the United States, who, befogged in funds in excess of \$6,000, conjured up the destruction of all Members of Congress who were so "unpatriotic" as to include for taxation money made by "brains" along with money made by industry and brawn. My humble judgment is that when Congress learns to stand its ground against such indecent and unpatriotic assaults, it will be far more highly respected than it is. [Applause.]

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I am in favor of taxing the salaries of the Members of Congress in the same manner the salaries of any other person or persons are taxed, but I am not in favor of this proposition, because I consider this bill entirely unnecessary, and because, in my judgment, it will place Congress in a false light. When I voted for the last revenue bill I voted to put the excess-profits tax on the salaries of Members of Congress the same as on the salaries of any other party who was taxed. When this matter first came up and it was charged that Members of Congress were exempted, I stated that there was nothing in the charge, that the tax was placed upon Members of Congress as well as upon others. I said then that I should pay the tax without claiming exemption. I claim no credit for this, as, like all other Congressmen, the law required

me to pay it. I so intended when I voted for the bill, and if there is any Member of this House who says that he intended to the contrary I would like for him to stand up and say so. Gentlemen of the House, I am unwilling to plead guilty to the commission of an act which I have never done.

I do not want to admit, either by inference or by implication, that a charge is true when in fact it is absolutely baseless and unfounded.

I have no time in five minutes to make a legal argument on this matter. I wish I had in order that I could show there is nothing in the statement that Congressmen's salaries were exempt as a legal proposition. I did, however, address a letter to the Commissioner of Internal Revenue sometime ago, which was printed in the Record, in which I stated my reasons for holding that Members of Congress were subject to this excess-profits tax and asked that his department so rule. I am willing now to stake my professional reputation on the opinion of the Commissioner of Internal Revenue, feeling absolutely satisfied and confident that if he ruled on this point he would hold that as the law now stands Members of Congress are subject to this tax.

Mr. GARD. Will the gentleman yield? Will the gentleman kindly give the date of the Record in which that is published?

Mr. GREEN of Iowa. The Record of December 10.

Mr. GARD. I thank the gentleman.

Mr. GREEN of Iowa. The Constitution of the United States provides that the President, with the advice and consent of the Senate, shall appoint all officers of the United States except that Congress may by statute provide for their appointment by certain heads of departments. Over and over again—as I showed in this statement I sent to the Commissioner of Internal Revenue, and might have shown other authorities—has the Supreme Court of the United States held that "officers of the United States," speaking strictly and in the terms of the Constitution, are only those who are appointed; and consequently Congressmen are not embraced in these words when used in the Constitution. That has been held in cases where it became necessary to determine whether a man was an officer of the United States or not. Gentlemen, you will find these cases referred to in my letter and find other cases, if desired, in support of this proposition.

Now, there is another point in the way in which this law was drawn. The terms of the exceptions under this statute, the last revenue bill, are that "officers under the United States" are exempt. But Congress and its Members are under no one. They are in fact the Government of the United States and each House is responsible to no one except Members of its own body. No one is over Congress. It would seem as if in framing this law that especial pains was taken that no mistake might be created as to who would be embraced within its terms, but gentleman say there has been an impression created abroad that Congress was exempt, and therefore we want to correct this impression. Let me say if gentlemen think they are going to escape the Congress mucker in this matter that they are mistaken.

Those who were so careless or reckless or so malicious as to state that Members of Congress had exempted themselves from the income tax will be as malicious as they were before and invoke some other charge against them. Every Member knows that there was not a pin point on which to hang the claim that Congress had exempted its Members from the income tax. The only question that could possibly arise was whether the salaries of Members were exempt from the excess-profits tax, and I have never seen a lawyer who had read the bill and considered the authorities that thought they were. What we ought to do is to await the ruling of the Commissioner of Internal Revenue instead of passing this wholly unnecessary bill. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. HULL].

Mr. HULL of Tennessee. Mr. Chairman, immediately after the passage of the war-revenue act on October 3, some question arose as to whether the compensation paid to Senators and Representatives in Congress was subject to the excess-profits tax. That controversy, however, was at once shifted to a general charge, made in the press of the country, that they had been exempt, as the gentleman from North Carolina has stated, not from the excess-profits tax but from the income tax. In other words, the real question was at once completely beclouded by the injection of entirely erroneous statements and sweeping charges with respect to the status of the salaries paid to Senators and Representatives in Congress as they might be affected, not by the excess-profits act, but by the income tax.

There was ground for enough difference of opinion as to the application of the excess-profits law to the compensation of Senators and Congressmen as to afford room for controversy. And

while I thought then, and think now, that the Treasury Department would probably rule that the compensation paid by the Federal Government to Senators and Representatives is subject to section 209 of the excess-profits tax law, yet, in view of the widespread charges sent all over this country as to just what Congress intended in that connection, and in view of the perversion of what I know was the intention of this House in that respect, I have thought as one Member here that, notwithstanding the fact that the Treasury would probably rule that we are subject to the excess-profits tax as stated, we owed it to ourselves to say in the clearest terms what our intention was, in order to leave no doubt in the minds of any citizen of this country, and in order to give no person or newspaper the pretext to say falsely that Congress attempted to exempt itself.

Now, this resolution simply does what I know was in the minds of the House on October 3, when this war-revenue act was passed.

Mr. GLASS. Will the gentleman yield?

Mr. HULL of Tennessee. I will.

Mr. GLASS. Does not this resolution do vastly more than that? If it be true that we find it necessary or desirable to fence and foil demagogic criticism as applied to ourselves, why should we break all precedent and be weak enough to apply this tax to Federal officials, when the chairman of the Ways and Means Committee says that the tax does not apply in other nations to Government officials?

Mr. HULL of Tennessee. Well, Mr. Chairman, there is so much opportunity for discussion and so little time, like the gentleman from Iowa [Mr. GREEN], I have had no disposition to enter into a legal argument as to any of the phases of this tax law. I simply wanted to emphasize the purpose for which this resolution is being considered; that it comes up here to express, or, rather, to reiterate in unmistakable language, the original intention of the membership here. And I think it does that. I think no one can be criticized for reiterating what was on his mind when the act was passed.

Mr. GLASS. But it does more than reiterate that. It goes further and makes this excess-profits tax apply to Federal officials when it never was intended it should apply to Federal officials, and when the chairman of the Ways and Means Committee explicitly states that similar taxes do not apply in any other government. Now, in order to relieve ourselves from criticism, why should we be weak enough to go forward and tax Federal officials?

Mr. HULL of Tennessee. Mr. Chairman, the idea was in the minds of most of us, I think, that the Treasury would and should rule that the salaries of Congressmen would be taxed on the theory that they were not Federal officials under the Constitution and that they did not come under the law of exemption contained in paragraph 9 of section 201. That being true, it was only contemplated that all salaries, whether official or whether those derived from other than official sources, should be treated alike. The sole purpose of this resolution is to make clear and certain the liability of the salary of Members of Congress in excess of \$6,000 to excess-profits tax of 8 per cent. No question as to whether salaries generally should have been subjected to this tax in the first place, as they were, does not now arise. This question can later be considered on its merits now that the status of all salaries has with certainty been made the same. I have heretofore indicated my attitude as to the taxation of salaries under excess-profits act.

Mr. FORDNEY. Mr. Chairman, I yield one-half minute to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Chairman, I shall support this joint resolution, and I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

Mr. FOSTER. I would like to ask if the gentleman intends to extend his remarks on this subject or on the subject that he asked to extend them on some time ago?

Mr. POWERS. On this subject; and I would like also to extend them on prohibition.

Mr. FOSTER. I object to that. I object to anything on that resolution.

Mr. POWERS. I will confine it, then, to this resolution.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend his remarks in the Record on the resolution under consideration. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Chairman, I yield two minutes to the gentleman from Georgia [Mr. BRAND].

Mr. BRAND. Mr. Chairman, I have only two minutes of time at my disposal, and therefore can only make a mere statement of my position upon this question. I would not occupy this time were I not apprehensive that my vote in favor of the

pending proposition may be construed into an admission that the report sent out all over the United States after the close of the last session of Congress that Members of Congress had voted to exempt themselves from payment of the income tax was true.

According to the view I hold upon this question, the passage of this resolution is useless legislation, and if I had time I believe I could demonstrate it to the satisfaction of any critic. I make this statement in no sense as a criticism of the Ways and Means Committee, because it has likely adopted the correct course to terminate the life of a misrepresentation which has been circulated, and to some extent credited, in every congressional district of the United States. When I first heard of the report that Congress had voted to exempt themselves from the payment of the income tax and the excess-profits tax, though the report was confined to the former, I denied it, and I deny it now.

It is not true for two reasons, as I contend:

First. The portion of the revenue act upon which this report was based does not bear the construction, currently prevailing, and, in my judgment, no court of any respectable reputation would so hold. My contention is that a Congressman is not an officer and an employee of the United States, or an officer and an employee under the United States within the meaning of the law, and therefore the provisions of the revenue act referred to do not exempt him.

Second. As all know, a tax levied upon the people or a class of people operates on all alike. No man and no one class of people can be held exempt from its operation by implication. All are subject to the provisions of a bill designed to raise revenue unless expressly exempted. No class is exempt in a tax or revenue act unless express words are used clearly showing that the legislative body had that particular class in mind at the time the legislation was voted for. No such words can be found in the section under consideration.

I know, and every Member of this House, Republican and Democrat alike, knows as well as we know that our Redeemer liveth, that no vote was cast on the revenue bill by any Congressman with the intention or purpose in his mind to exempt himself from these taxes.

I know and you know that we did not intentionally or purposely vote to put burdens upon other people which we ourselves were not willing to help carry, and as there is not a line in the bill expressly exempting Congressmen from the payment of the income tax or the excess-profits tax, I insist under the law as it stands now that we are subject to the payment of these taxes. And according to the calculations of the tax gatherer, the act imposes an income tax of \$245 on each unmarried Congressman and \$205 on each married Congressman, and in addition to this an excess-profits tax of \$120 on all Congressmen. Those interested should not be unmindful of the further fact that in addition to the payment of these taxes Congressmen will have to pay an income tax on the property respectively owned by them. These taxes will be paid by us ungrudgingly and as cheerfully, in my opinion, as by any other class of taxpayers in this Republic. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, my friend from North Carolina [Mr. KITCHIN] has just made a rather remarkable speech in support of this resolution. In arguing in favor of its passage he gave strong, logical, and, to my mind, unanswerable reasons why, as a matter of principle, public officials should not be included in an excess-profits tax. Now, let us be perfectly frank about this proposition. Let us not delude ourselves as to just what we are doing. The sum and substance of this resolution is the declaration by legislative enactment that \$1,500, the amount by which our salaries exceed \$6,000, is excess profit. No such glaring absurdity has ever been enacted in the statutes of this or any other country. How is it possible logically to say what portion of our salaries is an excess profit? Imagine this situation, and I suggest it because the gentleman is not present, for I do not desire to embarrass him. If the salary of the gentleman from New York [Mr. FITZGERALD], who is about to leave us, was \$100,000 a year, I think every man here will agree that, measured by his service to the country, not one cent of it could be properly regarded as an excess profit. [Applause.]

There are many Members of Congress whose value to the country is not to be measured in dollars. To call any portion of their salary an "excess profit" is, I think, a rank absurdity.

While under ordinary circumstances I would oppose this resolution on its merits to the last ditch, I realize that the Yuletide season is approaching. We are about to adjourn for the Christmas holidays, and I see many of my most cherished friends here with haggard faces, due to loss of sleep from brooding, I suppose, over the abuse they have received for hav-

ing voted to impose an excess-profits tax on the incomes of doctors and lawyers and clergymen and other income earners and exempted themselves from its operation. Under the circumstances, then, I am prepared, as a finality, to accept this resolution with as good grace as I can.

Now, gentlemen, all this trouble—and I am still speaking frankly—was brought upon us by what I regard as the temporary aberration of the gentleman from North Carolina [Mr. KITCHIN] and a few of his colleagues on the conference committee. I want to say this about my friend from North Carolina, that up to the time he reached the conference committee he behaved remarkably well; he comported himself with dignity, discretion, and wisdom. I will not say that this was due to the benignant influence of association with myself during the formative period of this bill [laughter], but the fact is that when deprived of that association during the conference he so far lost his former admirable poise as to lend his approval to this amorphous invention known as section 209.

I use the word "invention" advisedly. Section 209 is an invention. It is without parallel in the statutes of this country or of any other country under the sun. It is the product of the intelligence of a few gentlemen who succeeded in reconciling their consciences to advocacy of the proposition that human brains are to be regarded as invested capital, and that the product thereof is an excess profit. I assert that no such absurdity has ever before been written into the statutes of this or any other country. Every man here knows that this proposition to impose an excess-profits tax on incomes received where there is no invested capital at all was never even hinted at, much less discussed, on the floor of this House. In the Senate, by common consent, salaries and professional incomes were specifically eliminated from the bill. I think the question whether the conferees, there being no difference between the two Houses on this question, did not exceed their power to bring in this proposition might be distinctly open to debate. The gentleman from North Carolina, in his able argument against the imposition of an excess-profits tax on the salaries of public officials, in which I entirely agree with him, added that no other country had ever imposed such a tax. That is true; but furthermore it is true that no other country under the guise of an excess-profits tax has ever imposed a tax upon earned incomes where there is no invested capital.

Mr. GLASS. Mr. Chairman, may I ask the gentleman a question?

Mr. LONGWORTH. I yield to the gentleman for a brief question.

Mr. GLASS. If we want to relieve ourselves from criticism, why not stop there? Why break all precedents and tax other Federal officials as well as ourselves?

Mr. LONGWORTH. Well, I will answer that simply on the theory that we are giving a Christmas present to our colleagues, about to go home for the holidays, I am willing to do it.

Mr. GLASS. Give them a Christmas present, but not burden Federal officials with it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. The gentleman has included all trades and business covered in "professions"?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. The gentleman wants to relieve his entire earnings from taxation?

Mr. LONGWORTH. I want to relieve the man who earns his income, whether large or small, by his personal effort and from his brain alone from an additional penalty tax over the man who without any effort on his own part derives his income from invested capital.

Now, just what does section 209 do? It puts a tax of 8 per cent on trade and business where there is no invested capital. Let me call attention to this fact particularly. Section 209 of itself would not include professional incomes and salaries were it not for the fact that in section 200 of the revenue law the terms "trade and business" are specifically defined to include professions and occupations. It is on account of that definition that professions and occupations come in under section 209.

Now, what is its practical effect? Let me give you an illustration, amplifying my answer to the gentleman from Pennsylvania (Mr. MOORE) a moment ago. A inherits an estate of \$200,000, invested at 5 per cent. He draws an income of \$10,000 from that inheritance without any effort on his part at all. B is a man who has inherited nothing, but who, by his energy, his ability, and his brains, has built up a capacity to earn an income of \$10,000. Which one ought to be taxed the higher, A or B? Is there any man in this House who will say that B, who actually earns all of his income, ought to be taxed more than A, who does not? And yet that is what section 209 does.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. I yield.

Mr. LENROOT. I want to ask this question: The man who earns his income would pay \$320 a year more than the man who does not?

Mr. LONGWORTH. A and B pay the same income tax. At that point A's liability to pay taxes ceases, but B, as the gentleman from Wisconsin says, would be compelled, under section 209 to pay an additional tax of 8 per cent on \$4,000, the excess of his income, over \$6,000.

Gentlemen, this doubly violates a principle that should be fundamental in every income-tax law. It is a fundamental principle of every income-tax law in every other country but this—that earned income pays a less rate of taxation than unearned income.

In Australia there is a difference made of 50 per cent in favor of earned as compared to unearned incomes. In Great Britain, I think, it is 25 per cent. Every country except this discriminates in favor of the man who earns his income by his personal exertion and by his brains, as compared with the man who sits down and cuts coupons or collects rents. Under our law not only does such a man not pay less taxes, but section 209 has imposed upon him an additional tax in the form of an excess-profit tax from which the coupon cutter or the rent collector is exempt.

There is a fundamental reason why a discrimination should be made in favor of the man who earns his income. The man who derives his income from invested capital does not thereby destroy or impair his capital. It remains the same, and his capacity to receive the income therefrom remains the same during his life; but the man who has to earn his income thereby diminishes his capital from day to day, to some extent, and the time eventually comes when his earning power vanishes. Our present law, then, is a double violation of that principle which I am sure most men in this House believe should be made one of the permanent fundamentals in our income-tax legislation. It is a pity that Congress has not so far recognized this principle, but it is an infinitely greater pity that we should have adopted a provision which not only makes no discrimination in favor of the man who earns his income, but places a penalty upon him.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. KELLEY of Michigan. I did not hear the first part of the gentleman's remarks. Is the gentleman's opinion in harmony with that of the chairman, that Members of Congress are liable for this 8 per cent tax on anything in excess of \$6,000?

Mr. LONGWORTH. I am inclined to think that under the law as it is now we are liable for this tax, though the question is open to doubt.

Mr. ROSE. Under what pretext can the examples that the gentleman gives be called excess-war profits?

Mr. LONGWORTH. They can not under any circumstances. They can not in any case, I imagine, be a war profit, because in all probability the incomes of clergymen, doctors, attorneys, and presidents of universities, and others with no invested capital are, with few exceptions, less since the war started than they were before. That is an additional reason why these incomes should not be subjected to an excess-profits tax.

After all, gentlemen, it is the passage of section 209, as extended by the definition in section 200 of trade and business, that has brought all this criticism upon us. We are seeking to disarm criticism by committing two wrongs on the mistaken theory that two wrongs make a right. It is not the way to accomplish the result. The way to disarm any just or fair criticism against the revenue law is to eliminate the root of the evil—the penalty tax on earned incomes. I have myself a proposition to suggest by way of remedy in the form of a bill I have introduced, which I sincerely trust will meet with favorable consideration before we adjourn. It is a bill which simply amends the definition in section 200 of the terms "trade" and "business," providing that they shall not include professions and occupations where there is no invested capital. The result of the passage of such a bill would be simply this, that section 209 would still apply to corporations and business partnerships having no invested capital, but would not apply to professional men and to men who earn an income by their personal efforts and by their brains alone.

Mr. MOORE of Pennsylvania. Does the gentleman propose to offer that as an amendment at the proper time?

Mr. LONGWORTH. I have some little doubt as to whether this precise amendment would be ruled to be in order. I shall attempt to accomplish the same thing in another way.

Mr. MOORE of Pennsylvania. If the gentleman does propose to offer an amendment, I want to be heard on that question; that is all.

Mr. KITCHIN. I yield three minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I am very heartily in favor of this resolution. Congress has been maligned, first by some gentlemen of the demagogue type who desire to defeat some worthy Members of this body, and then again by the metropolitan press of this country, whose toes are trampled on a little by the war-revenue bill passed in the last session of Congress. Every sensible man who has investigated the question knows that without this excess-profits tax Members of the House and Senate were taxed \$205 per annum on their salaries. The United States Senate put on that bill after it left the House an excess-profits tax on the salaries and incomes of professional men and all others above \$6,000. No Senator nor Congressman intended to exempt themselves from the excess-profits tax on their salaries, nor did they believe that Congressmen or Senators were exempted. All of us know that we are to pay \$325 taxes on our salaries yearly under the war-revenue bill passed at the last session of Congress. We are not exempted from any kind of tax under that bill. We are in war, and all people should be willing to pay taxes. Congressmen are not officers of the Government. Yet some of the metropolitan papers and weekly periodicals of the northeastern portion of this Republic have severely criticized Congress and impugned the motives of Members, as though a man elected from a great State as a Senator or from a congressional district of 200,000 souls as a Representative would make a scoundrel of himself for the paltry sum of \$120 on his salary. The excess-profits tax on the \$1,500 above \$6,000 amounts to only \$120; and yet some of these periodicals would impugn the motives of a man who has principle and honor enough to be elected by an honorable constituency. [Applause.] The trouble of it is these publications have been for all these years getting a subsidy in the shape of having their papers transported through the mails at 1 cent a pound when it cost 8 cents a pound to transport them. In other words, they have been getting out of the taxpayers of the United States 7 cents on every pound of the papers carried; and the Ways and Means Committee, out of \$90,000,000 that these papers and periodicals have been grabbing annually out of the people through this mail subsidy, has compelled them to pay \$26,000,000 a year; and the time is near at hand when they shall be made to pay all that it costs to transport their papers through the mails, the same as a man pays for the expense of transporting a first-class letter. There is no reason why the taxpayers of the United States should pay to transport these papers free, but such publications as these weeklies and magazines that I have mentioned have impugned the motives of Members of Congress because the American Congress saw proper to keep those papers, journals, and magazines and others like them from sending through the mails at a cent a pound the tons of pages of advertisements from which they get such enormous revenues. [Applause.] Some of the country papers have accepted as true what the selfish metropolitan press and magazines have published. They should investigate before wrongfully criticizing Congress. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MOORE of Pennsylvania. I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, when I came back to Washington, having seen the notices in the papers that we exempted ourselves from the income tax, I at once took up the matter with the Commissioner of Internal Revenue and attempted to show that there was no intention on the part of Members of Congress to make such exemption, and that it was impossible under the terms of the act. I would have been pleased indeed if the commissioner had seen fit to order, as he might have done, that there should be no exemption of Congressmen from section 209. That would have settled the entire matter.

Of course I shall support this joint resolution, but I regret exceedingly that it was introduced, because I think it was entirely unnecessary, for we were liable without the passage of this act. It gives the newspapers and those who delight to malign Congressmen an opportunity of saying that we are passing this resolution because of the severe criticism.

Title 2 was devoted exclusively to the ascertainment of whether or not there was more profit being made during the war period than there was during the years called the prewar period and placing a tax on such excess profits. It was exclusively devoted to that object and purpose, and the amount was ascertained by a comparison of the profits made in trade and business of the prewar period with the taxable year. The prewar period was fixed as the years 1911, 1912, and 1913. Profits were to be determined by the relationship of the in-

come received with the capital invested. So, of course, it was utterly impossible that there should have been any intention or expectation of including in this any salary or proposition of that kind, because it would be absurd to say that a man receiving a fixed salary was receiving an excess profit. That was the condition of affairs when the exemption provision was inserted, and of course it was perfectly proper under those circumstances. The exemption was in the original act, and it was proper under the original act. Section 209 was inserted by the conferees, and it could not be said that it was the intention to apply the exemption provision which existed in the old title when this was entirely a new matter and had no relation to the old condition. So the facts absolve Congressmen from attempting to exempt themselves from the provision of section 209.

The exemption provision would not apply to Members of Congress unless the language of the statute was expressly or by clear implication intended to so apply. An officer of the United States is defined by the Constitution to be one appointed by the President or by a court of law or by the head of a department. The Supreme Court has said in numerous cases that none others are officers. Language has been used sometimes in statutes in a popular sense, but it never has been so interpreted, except under circumstances where it is shown that that was the intent of the legislators. Certainly no intent could be shown in this case. So we have a clear proposition of law upon which I do not think any lawyer studying the decisions in this case could for a moment believe that the Supreme Court of the United States or any other court would say that Members could claim exemption, because they were officers of the United States, from the operation of section 209. So that in fact we were not exempt, and so in fact this resolution is entirely unnecessary. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield four minutes to the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, it has been charged that in the passage of the war-revenue bill Members of Congress exempted their own salaries from the payment of all income taxes. The contrary is true. It has taxed them along and on the same terms with professional and business men.

Everybody familiar with the Federal income-tax laws knows that all persons, including Congressmen, are subject to the payment of income taxes of 2 per cent upon their net incomes above \$2,000 exemption for heads of families and above \$1,000 for single persons, and an additional 2 per cent upon their net incomes above \$4,000 for heads of families and \$3,000 for single persons, and a further 1 per cent on net incomes above \$5,000 up to \$7,500, and an increasing surtax for larger incomes. The war-revenue tax law very largely increases the income tax on the salaries of Congressmen and others with like incomes.

But the general public were not so familiar with the income-tax laws and were easily misled by unjust criticism. The occasion of the criticism was a provision in the war-tax revenue law, finally enacted on October 3 last under the title of war excess-profits tax, which provision was inserted in this revenue bill after it had passed the House and had gone to conference where the differences between the Senate and House were adjusted, and the conference report was adopted during the final days of the special session.

War excess profits are known as the profits during the war in excess of prewar profits. Naturally there could be no excess profits in salaries that are the same both before and during the war. But the conference committee concluded to levy in lieu of an excess-profits tax, as provided in section 201 of the war-revenue law, a tax equivalent to 8 per cent of the net income of the trade or business of every domestic partnership or citizen or resident of the United States in excess of \$6,000 where such trade or business had no invested capital, except—

In the case of officers and employees under the United States or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees.

This exception to the conference committee amendment did not at the time attract the attention of Members of Congress generally, for it simply enlarged or extended the exemption heretofore existing in prior income-tax laws as to State officers, and so forth, so as to make officers and employees of the United States as to this law also exempt, and it did not seem unreasonable or of much moment, as few Federal or State officers have salaries above \$6,000. But when it was afterwards suggested that Congressmen might be construed to be within this exception there was a general demand from Members of Congress that the language be so amended as to make it plain that Members of Congress were not exempt from this 8 per cent

additional tax written in the law under the title of excess war-profits tax. It was well argued that Members of the House and Senate were not officers and employees of the United States in contemplation of the Constitution and could not be held to be within the exception, as they were not officers and employees of the United States, and that Members of Congress were liable to this additional tax, not being expressly named in the exception.

Nowhere in the revenue act are Members of Congress mentioned as being exempt from the payment of any income tax or excess war-profits tax. However, to put the matter beyond any controversy, and responding to the unanimous desire of all Members to make it clear that Senators and Congressmen are liable to this additional tax, and thereby end all controversy, a joint resolution was reported by the Ways and Means Committee, which, when adopted in the House, read as follows:

Joint resolution amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war-excess-profits tax the compensation of officers and employees under the United States, including Members of Congress.

Resolved, etc., That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, is hereby amended to read as follows:

"(a) In the case of officers and employees under any State, or local subdivision thereof, the compensation or fees received by them as such officers or employees."

SEC. 2. That section 209 of such act of October 3, 1917, is hereby amended by adding a paragraph to read as follows:

"The income of officers and employees under the United States, including Members of Congress, received as compensation or fees by them as such officers, employees, or Members, shall be taxable under this section for the calendar year 1917 and each year thereafter; but a non-resident alien officer or employee of the United States shall be entitled to the same deduction as a resident of the United States."

This joint resolution, unanimously supported in the House, specifically mentions the incomes of Members of Congress as subject to this additional 8 per cent tax, together with the incomes of officers and employees of the United States, received as compensation or fees by them as such officers, employees, or Members, thereby ending all further controversy as to the meaning of the law and the intention of Congress with reference thereto.

Under existing Federal laws Congressmen, as well as others, if married men or heads of families, will pay 2 per cent normal tax on their net incomes exceeding \$2,000 up to \$4,000, and 4 per cent on their net incomes above \$4,000, and a further 1 per cent or surtax above \$5,000, and in addition thereto 8 per cent above \$6,000.

The incomes of State officers are exempt from payment of all Federal income taxes by reason of a decision of the Supreme Court of the United States.

The unanimous support given this amendment should end all further criticism from any source. Many Members of Congress have sons in the Army—some have already gone and others shortly will go to the battle fields of France, to do service for their country. All Members have far more care for the welfare of these soldier boys than for the income tax cheerfully levied upon their own salaries.

I insert herein a table showing how the income tax figures out for both married and single men. Here is what a married man will have to pay under the income-tax section of the new revenue act. The only alteration necessary in applying the figures to the income of a single man is to make the exemption \$1,000 instead of \$2,000, as in case of a married man.

Married man having income of—	Amount of normal tax.	Amount of war normal tax.	Surtax.	Total individual income tax.
\$1,000.....	None.	None.	None.	None.
\$2,000.....	None.	None.	None.	None.
\$3,000.....	None.	\$20	None.	\$20
\$4,000.....	None.	40	None.	40
\$5,000.....	\$20	60	None.	80
\$7,500.....	70	110	\$25	205
\$10,000.....	120	160	75	355
\$12,500.....	170	210	150	530
\$15,000.....	220	260	250	730
\$20,000.....	320	360	500	1,180
\$40,000.....	720	760	2,100	3,580
\$60,000.....	1,120	1,160	4,500	6,780
\$80,000.....	1,520	1,560	7,900	10,980
\$100,000.....	1,920	1,960	12,300	16,180
\$150,000.....	2,920	2,960	25,800	31,680
\$200,000.....	3,920	3,960	41,300	49,180
\$250,000.....	4,920	4,960	59,800	69,680
\$300,000.....	5,920	5,960	80,800	92,680
\$500,000.....	9,920	9,960	172,800	192,680
\$750,000.....	14,920	14,960	297,800	327,680
\$1,000,000.....	19,920	19,960	435,300	475,180
\$1,500,000.....	29,920	29,960	740,300	800,180
\$2,000,000.....	39,920	39,960	1,050,300	1,130,180
\$4,000,000.....	79,920	79,960	2,310,300	2,470,180

Heads of families are allowed an additional deduction from income of \$200 for each dependent child.

In the foregoing on all earned incomes above \$6,000 an additional tax of 8 per cent should be added.

You will note from this table that the normal income tax heretofore levied on the salaries of Congressmen was \$70; that the new revenue act imposed an additional war normal tax of \$110 and a surtax of \$25, making a total of \$205, to which the additional tax of 8 per cent, or \$120, will be added, making in all \$325 to be paid by Congressmen and others having similar net incomes.

I believe in the income-tax law and the levy of a reasonable per cent on all incomes, above a fair exemption, for the support of the Federal Government—a larger per cent in war times than in times of peace—and an increasing per cent upon the larger incomes.

If our boys enter the service of their country, risking life and health, then those who earn while others fight should pay without complaint and cheerfully pay the reasonable and fair tax contribution necessary to provide our soldiers with food, clothing, munitions of war, and all the necessities required by this dangerous and patriotic service.

Mr. KITCHIN. Mr. Chairman, I yield one minute to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, this is a bill to amend the revenue law passed at the last session of this Congress, but it is not for the purpose of correcting that law but is simply for the purpose of making absolutely certain that which everyone in this House thought was certain when the act was passed. I have not yet found a man who was present when the revenue bill was passed who believes that there was any intention to or that it did, in fact, exempt Members of Congress from the payment of their taxes under the excess-profits provision the same as salaries of all other citizens of the United States. But there is no doubt that among the people the belief does exist that we did exempt our salaries and I with many other Members of Congress have received letters from friends saying that Congress had taxed everything in sight except themselves and their own salaries, which were exempted.

We did not do anything of the kind, and every man here at the time understood that we did not. The good lawyers in this House and outside of it say that our salaries are subject to the tax, but I am glad to-day to be able to vote for a resolution not to correct but to make absolutely certain that which we thought was certain at the time we voted for and passed the revenue bill.

Mr. KITCHIN. Mr. Speaker, my distinguished friend from Ohio, Mr. LONGWORTH, says that section 209 is the root of all this trouble. That section taxes lawyers, doctors, professional men, and others, including corporations, without invested capital who make profits in excess of the specified deduction.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNYDER. Did the gentleman state the matter correctly?

Mr. KITCHIN. No; he did not state it correctly, and I am going to show you that he did not.

Mr. SNYDER. I mean the gentleman from North Carolina now speaking. Does the gentleman not mean that these men were penalized and not taxed?

Mr. KITCHIN. No; they are justly taxed and not penalized as long as other individuals are taxed. The gentleman from Ohio [Mr. LONGWORTH] said that nobody knew that this proposition was in the bill until after it was passed.

Mr. LONGWORTH. I never said that I did not know it. I said that not 10 Members of the House knew it.

Mr. KITCHIN. The gentleman knew it when it was passed.

Mr. LONGWORTH. Oh, yes; I did.

Mr. KITCHIN. That is the point that I am making. The gentleman knew it was in there when he voted for it. I discussed that very section, 209, upon the floor of the House when I presented the conference report. I discussed it at length, and the gentleman was sitting in front of me as I discussed it. I showed why it was put in there and why it ought to be put in there, and when the time comes and any man wants to strike it out, I shall try my best to show why it ought to remain there. The gentleman knew it was in there, and yet he never raised his voice against it. The time to have denounced section 209 was when it was before the House for approval or rejection. If he wanted to protest against it, that was the time to protest. If it is wrong now, it was wrong then, and yet he never made any protest, knowing it was in there and knowing that we and he were to vote on it. He never made any protest until after he went home and no doubt talked to some of the big Cincinnati lawyers, and he then comes back here and is con-

vinced that it is a big outrage; that it penalizes the lawyers and the doctors.

Mr. LONGWORTH. And the clergymen.

Mr. KITCHIN. Yes; and the preachers.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. I have not the time now.

Mr. LONGWORTH. The gentleman is aware that there is a rule that a conference report must be voted either up or down.

Mr. KITCHIN. Oh, we could have stayed here and voted it down if it was such an outrage as the gentleman makes out this morning. If I were in the gentleman's place I would have voted against it and told the conferees to go back and correct the outrage, because if we had committed an outrage the conferees would have been glad to correct it. Or I certainly would have protested against it and warned the House of its injustice in the speech which the gentleman made on the report; but not a word of protest or warning did he make.

Mr. LONGWORTH. The gentleman at the time was impressed with the necessity for raising revenue.

Mr. KITCHIN. There is no fairer or more equitable or righteous provision in all the revenue act than section 209. When the Senate included individuals in the excess-profits tax we protested against it. The House conferees and the gentleman from Ohio and myself agreed on that, and the Ways and Means Committee agreed on it, and the House was of the opinion that individuals ought not to be put in the excess-profits tax provision, but when the Senate insisted upon it and refused to yield, then we said that it was not right to put in the individual farmer, and the merchant, and the lumberman, and banker, and butcher, and blacksmith, and every other individual and leave exempted from the tax lawyers and the doctors and other professional men.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LENROOT. Does the gentleman think, then, that a man having an income from invested capital should be taxed less than a man who earns his income?

Mr. KITCHIN. The gentleman has got that error from the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. If it is an error.

Mr. KITCHIN. I want to tell you that the man who has his money, say, \$100,000, invested in stocks pays on the average three times more than the lawyer that you are trying to protect. He pays the tax before his income gets to him. The corporation takes it out and pays it for him.

Mr. LENROOT. Suppose he has a hundred thousand dollars invested in real-estate mortgages?

Mr. KITCHIN. And gets his income on that?

Mr. LENROOT. Yes.

Mr. KITCHIN. Let us see; let us appeal to the gentleman's sense of fairness. If I have \$100,000 of my money loaned out on mortgages at 6 per cent interest—and in my State it is 6 per cent—should I not be allowed the same deduction on the amount, \$100,000, so invested as the gentleman or other person who puts that amount in an active business? We both have the same amount invested. But the amount of my small profits—my income—from my investment is limited by interest law, while the amount of profits from the gentleman's investment is unlimited; it may reach 20, 25, or 50 per cent or more. Should he call his income earned and therefore demand a larger deduction or exemption and call my income unearned and therefore demand a smaller deduction or exemption for me? Under the law capital invested, it matters not how, has the same deduction or exemption.

Mr. LENROOT. But the gentleman is not discussing the question—

Mr. KITCHIN. I am discussing exactly the question the gentleman asked about investment in mortgages. Of course, when I lend \$100,000 at 6 per cent there can not be any excess profits, because I would be entitled to a deduction of 8 per cent upon my capital of \$100,000 invested even if you make the excess-profits tax apply to such a case.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Resolved, etc., That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, is hereby amended to read as follows:

Mr. LANGLEY. Mr. Chairman, I move to strike out the last word for the purpose of occupying the floor for a moment or two only.

Mr. MOORE of Pennsylvania. Mr. Chairman, is that motion in order at the present time? The paragraph has not been read.

Mr. LANGLEY. The first paragraph has been read, and I think I am in order.

The CHAIRMAN. The first paragraph has been read.

Mr. MOORE of Pennsylvania. I make the point of order that the Clerk has not completed the reading of the paragraph, Mr. Chairman. I was waiting to be recognized.

Mr. LANGLEY. Mr. Chairman, am I recognized? I only made this pro forma motion to get a chance to say a few words. The time for general debate was so limited that I did not feel that I ought to ask for any part of it. I only wish to say this: I am glad this question has been so fully and clearly explained as to leave no doubt that all this criticism of Congress was unjust and wholly unwarranted. I do not deny that it caused me no little embarrassment, as I—

Mr. MOORE of Pennsylvania. Has the Chairman ruled on the point?

The CHAIRMAN. The gentleman from Pennsylvania has raised a point of order which the Chair thinks is well taken.

Mr. LANGLEY. I ask unanimous consent, then, for one minute more in order that I may finish now what I had said in part when the gentleman from Pennsylvania interrupted me.

The CHAIRMAN. The Chairman will recognize the gentleman from Kentucky when the first paragraph is really read.

Mr. LANGLEY. All right, then.

The Clerk read as follows:

(a) In the case of officers and employees under any State, or local subdivision thereof, the compensation or fees received by them as such officers or employees;

Mr. LANGLEY. Mr. Chairman, I now move to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. Being a member of the committee, I ask for recognition at this point. The recognition of the gentleman from Kentucky was made by a fluke. I could have arisen at the same time, but it was the wrong time to rise.

Mr. LANGLEY. Oh, no, Mr. Chairman, it was not a fluke, or anything of that kind. I thought the first paragraph had been completed, and so did the Chair at first, evidently. But I am perfectly willing to yield to a member of the committee. I do not desire to seek to take the floor from him. I understand the rule. I did not know the gentleman from Pennsylvania wanted the floor when I addressed the Chair and made the motion I did.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I concede the gentleman from Kentucky ought to be heard, and I hope he will be. The gentleman from Ohio [Mr. LONGWORTH] has made a 15-minute speech, which seems to be at variance with those made by other members of the Committee on Ways and Means, and I desire to point out one or two points of his speech that I think are wholly misleading. In the first place there is an impression upon the part of Members on this floor that this amendment proposes to tax poor lawyers, poor doctors, poor preachers, the preachers having been brought in as a sort of last resort to fortify the argument. This paragraph will not apply to any poor doctor, poor lawyer, or poor preacher, who earns less than \$6,000 a year. I am not responsible for this bill or for any provision in it; but, as a Republican, desiring to help the President prosecute this war and raise the money to pay for it, I voted for what I supposed to be as equitable a system of taxation as the other side had to present. I was not for exempting certain classes of individuals and holding certain other classes of individuals liable to tax. Three kinds of taxes are under discussion—the income tax, which we all pay; the supertax, which we all pay if we have income enough; and the new system or scheme of taxation, which seems to have come from England or some other country, where we get many of our ideas, which is called the war excess-profits tax. If a man makes enough after paying the income tax, after paying the supertax, then for war excess-profits tax we tax him to the extent of 8 per cent in the case of an individual without invested capital and in certain other per cents, much higher, in the case of an organization or concern that has invested capital. The law simply endeavored to reach that skillful, clever sort of brains which generally knows how to make tax returns, and which is not the poor preacher, or the poor lawyer, or the poor doctor. It does include that devilish smart fellow who comes down here and suggests amendments to a conference committee or to the Ways and Means Committee, and who goes home and charges his corporation \$100,000 for that service. His is the kind of brains that might be affected.

Mr. LENROOT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. No; not in five minutes, thank you. I do not care whether it is Elihu Root, who can afford to

charge a big fee, or some lawyer who can only charge \$5,000. I do not think that because he has brains we should put the entire war tax bill of the country upon the industries and corporations and individuals and allow the professional man to go scot free. I do not mince words about this at all. If you are going to play fair, play fair.

My friend from Ohio has an amendment to this bill, which he proposes to introduce if he can have it held in order, which provides "the term trade and business shall not include professions and occupations having no invested capital or not more than a nominal capital." I would change that and say the term "trade and business" shall include professions and occupations having no invested capital or not more than a nominal capital. It would not touch the poor man or anybody else who makes less than \$6,000. Some lawyers are capable of absorbing the business of 20 lawyers, some doctors absorb the business of 20 other doctors, some engineers absorb the business of 20 other engineers. If others have to pay they should not escape taxation because they have brains enough to come under the proposed Longworth amendment.

Contrast such an individual earner with a corporation or a poor business concern. The business pays an income tax, a corporation tax, a surplus tax, a munitions tax in certain cases, and an excess-profits tax—five different kinds, in some instances—and when it is all paid the stockholders, the poor widows and orphans, if you please, who have stock in the concern, get nothing. But the clever fellow who gets a salary of \$20,000 before the taxes are paid, who may leave nothing for the stockholders, would escape under this amendment. I am not for letting that fellow do it in these war times, and that is the reason I do not propose to let the Longworth amendment go into this bill if it can be prevented. [Applause.]

Mr. LANGLEY. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Pennsylvania [Mr. MOORE]. I do not think the word "employees" should be stricken out. It is a very important word, and I do not think we ought to mutilate the paragraph in that manner. I am in favor of this joint resolution. If it can be improved in any way by amendment I am for that, but the general purpose of it meets my hearty approval.

Mr. Chairman, I had already said, before the Chair decided that I was not in order, nearly all that I intended to say. I think the gentleman from Pennsylvania feels too much personal responsibility in this matter and takes the situation too seriously. He referred a while ago to the "pusillanimous, patriotic pikers" who had caused all this trouble and opposed any concessions to them. I do not desire to make any concession to them; but one reason why I am for this resolution is that I wish to satisfy the many people in this country who are honestly mistaken about it and who have been misled by these so-called "pikers" into believing that we intended to do something that we did not intend to do. I wish them to know that this great body did not then intend to exempt themselves from any tax, and I want to help pass this resolution to show them that such is not now our purpose, and that we are willing and anxious to bear our full share of the burden. [Applause.]

Mr. LENROOT. Mr. Chairman, I want to say of the gentleman from Pennsylvania [Mr. MOORE], whom we all admire, that I think this is the first time since I have been a Member of the House that he has made a real demagogic speech. And that was exactly what his speech was.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LENROOT. I can not yield. The gentleman did not yield. So far as the gentleman from North Carolina [Mr. KITCHIN] is concerned, the Democratic leader, from a partisan standpoint, I am glad he takes the position he does, but I have been very much surprised that that side of the aisle defends a proposition that taxes men who earn their income at a higher rate than men who sit down and get an income from unearned capital. I asked the gentleman a question, but he begged it. I asked him whether he would defend taxing a man at the higher rate who earned an income as against a man who had his capital invested in mortgages? He did not answer. He referred to the man who had \$100,000 invested in a cotton factory. Let me take his own illustration. A man earns an income of \$7,000 through his own efforts. He will pay an excess-profits tax of \$80. A man has \$100,000 invested in a cotton factory, out of which he receives an income of 13 per cent, or \$13,000. How much of excess-profit taxes will he pay? He will not pay one penny. Is that the position that the Democratic side of this House will take, namely, that a man who has invested money shall not pay a tax as high as a man who earns his income?

Another illustration: Take \$100,000 invested in 7 per cent farm mortgages. Another man has an earned income of \$7,000. What about the excess-profits tax of these two men? The man

who is president of a university, as my colleague suggests, earning a salary of \$7,000 a year, will pay an excess-profits tax of \$80. The man who has \$100,000 invested in real estate mortgages will not pay one penny of excess-profits tax. If you gentlemen on the other side of the aisle want to defend that kind of a proposition, well and good. We will take it to the people of the country in the next election. [Applause.]

Mr. LEHLBACH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. LEHLBACH. This title of the revenue law purports to tax the excess profits due to the existence of the war, not excess profits that are levied by reason of the revenue necessitated by the war, but excess profits which come by reason of the existence of war. That is perfectly plain, because the title determines what a prewar period is and directs that, within limitations, profits earned in the prewar period should be deducted from profits now earned, and the difference—excess profit due to the existence of the war—be subject to the tax provided in the title.

Now, I would like to know what profession or occupation, having no invested capital now by reason of the existence of the war, earns an excess income. It has been said that an individual who comes under this title and pays tax by reason of the conduct of a business ought not to be taxed, and the professional man exempt from a similar tax. If an individual runs a steel business, and by reason of the war enjoys excess profits, he is to a certain extent a profiteer and he ought to pay the tax, and it is no injustice to him that a man who earns a normal income that he has always earned in the prewar period is not saddled with an extra income tax. Now, this act, this particular section, as it has been pointed out, taxes earned incomes in excess of \$6,000 and exempts unearned incomes. This may be an example of taxing until it hurts, and it does hurt, not because of the money that is to be paid out, but because of the inherent injustice contained in the provision.

Another anomalous provision is that where several professional men associate themselves in a partnership they shall be taxed largely in excess of a man who is conducting a professional business in his own name. If one man associates himself with two other lawyers and does a business of \$12,000 a year and pays to each of his associates \$4,000 a year in salaries, retaining \$4,000 as his profit in the business, not one of the three pays any of this excess-profits tax. But if there is a partnership of these same three, or lawyers similarly situated, and they earn in partnership \$12,000 a year, then each pays a tax on \$2,000 of his share of \$4,000, or \$160. These three men pay each \$160 because they are honestly in partnership, and the other three do not pay a cent, because two purport to be employees of the other one.

It is an anomalous provision. The section itself is an injustice, and the inclusion of partnerships in professions makes it ridiculous.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. PLATT. I was going to suggest to the gentleman that if three men associate themselves together and get \$12,000, their individual incomes on the division of this \$12,000 would be very much less. Of course, they all pay that.

Mr. LEHLBACH. Yes; but the two employees get \$4,000 each, and the other man gets \$4,000, and the incomes would be the same. Of course, the partnership would have to pay.

Mr. PLATT. Their individual taxes would be less.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent that all debate on this resolution and all amendments thereto close in 15 minutes.

Here is the situation: We have the rural-credit bond proposition to come up after this. In the Senate there is a motion lodged to rescind the resolution to recess, and they do not know how long it is going to take to discuss that. They do not know whether they are going to rescind it or not if it comes to a vote. We ought to go on and get through with this bill. Every man knows exactly how he is going to vote on it. I would like more time myself to answer the ingenious argument of the gentleman from Wisconsin [Mr. LENOX] and to show the strained and exceptional nature of the case he gave, and the reason why he gave it. But we have not the time, and I am not going to take the time now. We ought to finish this, so that we can adjourn.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield for a question?

Mr. KITCHIN. I will.

Mr. LONGWORTH. I suggest that the gentleman answer the argument so far as the paragraph read goes. I have an amendment.

Mr. KITCHIN. You can offer your amendment in the 15 minutes.

Mr. WOOD of Indiana. Mr. Chairman, I would like to have five minutes to offer an amendment.

Mr. DILLON. I want to offer an amendment.

Mr. GILLET. I did not quite understand the gentleman's purpose. Does the gentleman mean that he wants to adjourn before the Senate resolution gets over here?

Mr. KITCHIN. If they decide to rescind it, yes.

Mr. GILLET. Why don't you adjourn now? There would be no objection to that.

Mr. KITCHIN. According to the suggestion of the gentleman from Ohio [Mr. LONGWORTH], I think "the boys" ought to be given their "Christmas present," and we should vote on this proposition before we go home.

Mr. GILLET. The gentleman says there is another proposition after this. It seems to me we should be allowed to discuss important amendments. The gentleman from Ohio [Mr. LONGWORTH] has an important amendment that he wishes to discuss.

Mr. AUSTIN. Yesterday, when the gentleman asked unanimous consent to have an hour's debate, I withdrew my objection on the assurance that I would have five minutes of that hour. I found in the general debate that I did not receive my five minutes. I want to be included now in any arrangement that is made here providing for 15 minutes.

Mr. KITCHIN. Yesterday I asked unanimous consent to consider this resolution this morning, in order to accommodate gentlemen on that side. I was going to be recognized by the Speaker to suspend the rules and pass this resolution last evening, and then we would have had only 20 minutes to a side, without the opportunity for amendment. We have now had an hour and forty minutes' debate.

Mr. AUSTIN. It has all been practically taken up by members of the Committee on Ways and Means.

Mr. KITCHIN. Does not the gentleman think we could finish the debate and discuss the amendments in 20 minutes? Let us see. The gentleman from Tennessee [Mr. AUSTIN] wants three minutes.

Mr. AUSTIN. I was promised five minutes yesterday when I withdrew my objection to unanimous consent for limited discussion.

Mr. LONGWORTH. I shall object to unanimous consent to limit debate until the consideration of the resolution is completed.

Mr. DILLON. I want four or five minutes.

Mr. WOOD of Indiana. I want five minutes.

Mr. KINKAID. I would like to have five minutes.

Mr. KITCHIN. Mr. Chairman, I see an hour's debate right here. Gentlemen, I think we ought to close this debate.

Mr. Chairman, I move that all debate on this resolution and all amendments thereto be closed in 15 minutes, with the privilege of gentlemen offering amendments during that time and sending them to the desk.

Mr. LONGWORTH. I make the point of order, Mr. Chairman, that the motion is not in order until the reading of the resolution has been completed. I do not want any time, but I desire to offer an amendment at the proper place, at the conclusion of the resolution. I shall therefore object to the limiting of time until the resolution has been read.

Mr. KITCHIN. The resolution has been read.

Mr. LONGWORTH. No; only the first paragraph. I shall not object after that is done.

Mr. AUSTIN. I make the point of order, Mr. Chairman, that you can not limit the debate in committee.

Mr. KITCHIN. I did not catch the suggestion of the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. This resolution has not yet been read. We are reading it now for amendment.

Mr. KITCHIN. I will make the motion after it is read, then.

Mr. LONGWORTH. Then I will offer the amendment.

Mr. KITCHIN. Let the Clerk read the next paragraph. I ask unanimous consent that all debate be considered closed on section 1 and all amendments thereto.

The CHAIRMAN. At this time?

Mr. KITCHIN. Yes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on section 1 of this resolution be considered closed at this time. Is there objection?

There was no objection.

The CHAIRMAN. The clerk will read the next section.

The Clerk read as follows:

SEC. 2. That section 209 of such act of October 3, 1917, is hereby amended by adding a paragraph to read as follows:

"The income of officers and employees under the United States, including Members of Congress (but not including the present President of the United States during the term for which he has been elected, nor the judges of the Supreme and inferior courts of the United States in office at the time of the passage of this amendment), received as compensation or fees by them as such officers, employees, or Members, shall be taxable under this section for the calendar year 1917 and each year thereafter; but a nonresident alien officer or employee of the United States shall be entitled to the same deduction as a resident of the United States."

Mr. KITCHIN. Mr. Chairman, I want to give the Speaker a chance to lay before the House an enrolled bill which he wishes to sign, and therefore I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WATSON of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 195, amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, and had come to no resolution thereon.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 17. Joint resolution proposing an amendment to the Constitution of the United States.

RESIGNATION FROM A COMMISSION.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 18, 1917.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I hereby resign as a member of the Commission on Reconstruction of the Hall of the House of Representatives.

Respectfully, yours,

JOHN J. FITZGERALD.

WAR EXCESS-PROFITS TAX.

On motion of Mr. KITCHIN, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of H. J. Res. 195, with Mr. WATSON of Virginia in the chair.

Mr. LONGWORTH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 15, after the word "States," insert:
"Provided, however, That incomes derived from professions or occupations having no invested capital or only a nominal capital shall not be taxable under this section."

Mr. KITCHIN. I ask unanimous consent that all debate on this section and all amendments thereto be closed in 20 minutes, with the privilege to gentlemen to send up amendments at any time.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate upon this section and all amendments thereto shall close in 20 minutes. Is there objection?

Mr. WOOD of Indiana. Can I have three minutes?

Mr. DILLON. I should like four minutes.

Mr. LONGWORTH. I want five minutes.

Mr. AUSTIN. It was agreed yesterday that I should have some time on this.

Mr. GILLET. There are five gentlemen on this side who want time.

Mr. KITCHIN. I will make it 25 minutes.

The CHAIRMAN. The request is that debate on this section and all amendments thereto close in 25 minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, let me first call the attention of Members to this fact, that the primary object for which this joint resolution is introduced will be carried out if this amendment is adopted, because the salaries of Members of Congress will be included under the provisions of section 209, and will be taxed. Thus, the only persons who will be relieved from the provisions of section 209 will be men who derive their incomes from professions or occupations in which there is no invested capital or only a nominal capital. As I pointed out a few moments ago, such incomes as these are not taxed as excess profits in any country in the world. Furthermore, such incomes as these in every other country in the world are taxed less than incomes derived from invested capital. By adopting this amend-

ment you will have removed what I regard as a gross injustice, in spite of what has been said in praise of it by two gentlemen who were on the conference committee—the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Pennsylvania [Mr. MOORE]—who are the only ones so far to attempt to defend the principle of this proposition. They are entitled to all the pride they can take in their handiwork; no one else does. For myself, I regard section 209 as the one absolutely indefensible proposition in the revenue law.

It is no answer for the gentleman from North Carolina [Mr. KITCHIN] to say that I had the opportunity to attack this section when the conference report was before the House. He knows, and we all know, that a conference report is unamendable. He knows, and we all know, that the revenue to be raised by that bill was essential to carrying on the war, and even though there were some provisions in the bill of which I entirely disapproved, this particularly, for one I was not willing to have the bill sent back to conference and the whole subject opened wide again. It is no answer to my statement that this proposition is absurd and inexcusable to criticize me for not voting against the conference report.

If you adopt this amendment, gentlemen, you will eliminate from the bill the proposition which has caused all this criticism of which you complain, the proposition that you have taxed salaried men without invested capital and exempted yourselves from the operation of that tax. That is what the criticism was about. Nobody, least of all the gentleman from North Carolina, has ever advocated, on its merits, the proposition that the salaries of public officials should be taxed as excess profits. But a condition, not a theory, seems to confront us, and by adopting this amendment you will save your consciences, so far as being included and paying this \$120 tax is concerned. At the same time you will have removed the most vicious principle in the revenue law, a principle not recognized in any other country under the sun, and never recognized in this country before, which puts an extra tax on the man who earns his income by his ability and his brains, as compared with the man of wealth, inherited or acquired, who draws his income from invested capital, with no effort on his own part. [Applause.]

Mr. KINCHELOE. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, is there a real necessity for this joint resolution? The gentleman from North Carolina [Mr. KITCHIN], the chairman of the Committee on Ways and Means, has stated that the original proposition included Members of Congress. The chairman of the Finance Committee of the Senate, Mr. SIMMONS, stated yesterday in the Senate that it included Members of Congress, and that that was also the opinion of the General Commissioner of Internal Revenue, Mr. Roper.

Every member of the Ways and Means Committee who knew all about the matter when it was before the conference committee has stated that it did not mean to exempt Members of Congress. With all these accumulated statements as to the meaning and intention of the provision, why should we pass a resolution to answer a misstatement, a campaign falsehood, started somewhere in the United States to injure the Members of the Senate or House? As we are innocent of the charge and the testimony and record vindicates us, why is it necessary to take up our valuable time to pass this resolution?

What did the Congressman pay in income taxes prior to the enactment of the new revenue law? Seventy dollars a year for a married Member drawing \$7,500. Under the new revenue law he is made to pay \$325 a year, or \$27 a month. If the so-called excess-profits tax is not included it would be \$255 a year, or \$21.25 a month. The pending resolution does exempt the President of the United States, with a salary of \$75,000; it exempts the Chief Justice of the United States Supreme Court, with a salary of \$15,000. It exempts the Associate Justices, with salaries of \$14,500 each, and every circuit court judge with a salary of \$7,000. Why should we exempt one class of Federal officials and not another? If one should pay all should pay whose salaries fall within the provisions of the income tax and excess-profits tax. The Supreme Court has never in any decision said that Congress could not tax the President of the United States or the members of the judiciary.

The Constitution of the United States says you can not lower the salary of the President during his term of office or increase it. But this is not a reduction of his salary, it is to put him on an equal footing with every other officeholder in the country. It is a reflection, it is an injustice which, I imagine, would be resented by the President of the United States and the members of the Supreme Court and the judges of the circuit courts to pass any law or resolution which would not permit them to do their share and duty in financially aiding the Government to win this great war. Pass such a resolution in time of war, the most

expensive war in the history of the world—tax everybody and every officeholder except these. Exempt the highest paid officer in the United States, and along with him the next highest, holding life positions. You can not justify such action before the American people.

I want the gentleman from North Carolina [Mr. KITCHIN] to answer the speeches of the gentleman from Wisconsin [Mr. LENROOT] and the gentleman from Ohio [Mr. LONGWORTH]. Men who have fortunes which they inherited, who are not earning by effort, labor, or ability the income from money invested and left them by their rich ancestors, are not taxed like you propose to tax the professional man, the lawyer, the physician, the minister, the doctor, or the officer of a corporation. Why should we as impartial lawmakers discriminate in this manner? It is unfair; it is unjust, and not to the credit of the American Congress to retain such a law. [Applause.]

Now, one thing more. The most unpopular section in the revenue law to-day is section 209. We will be held to a strict accountability when we face the electors on this section. It is unfair; it distinctly discriminates against earned incomes and penalizes industry in favor of inherited coupon-clipping incomes. In other words, earned incomes are doubly taxed.

This law or section says if you earn your money yourself you are going to be penalized in favor of the nonearning parasitical inheritor of accumulated and inherited wealth. No political party can afford to favor it, and the Members of this House can not stand for it before a thinking, intelligent people. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. KITCHIN. Mr. Chairman, I hope that amendment will be voted down.

The question was taken; and on a division (demanded by Mr. LONGWORTH) there were 56 ayes and 98 noes.

So the amendment was rejected.

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 2, after the word "hereby," strike out all of the remainder of the section and insert in lieu thereof the word "repealed."

Mr. WOOD of Indiana. Mr. Chairman, if the amendment proposed by the gentleman from Ohio [Mr. LONGWORTH] had been adopted it would have cured a great deal of the evil that is going to be wrought by this section. That amendment having been voted down, it occurs to me that this section should be repealed. It is absolutely unworkable except to do very great injury to those to whom it applies. No one wants to avoid their just proportion of taxation, but everyone objects to unjust discrimination in taxation.

I call the attention of the committee to one concrete example that shows how absolutely unfair and unjust this section is. It applies to any partnership that has only a nominal capital invested. I think you will admit that it would apply to attorneys. Suppose, for example, you have four attorneys engaged in the practice of law. Their net income is \$15,000 at the end of the year. From that they are entitled to a deduction of \$6,000, leaving a balance of \$9,000, upon which this tax will apply. The tax is \$720, and that divided by 4, the amount that each individual of the partnership would pay, is \$180.

Now, take another partnership engaged in the practice of law, with two in the firm, earning \$7,500—just half of what the four earned. You take \$6,000 from it and it leaves a balance of \$1,500. Eight per cent of that is \$120. Divided by 2, what each individual would pay, and it is \$60. The share is \$60, as compared with \$180 where the partnership consists of four. This is but one example of a very great number of examples that might be cited showing the absolute unfairness of this section of the bill.

This section can be repealed, and if there should be anything omitted by its repeal there is ample time in which to remedy it. But if you will stop for a few minutes and consider how many, many concerns like the one I have cited to you throughout the United States there are where such great injustice will apply I believe that fair-minded men desiring to do justice to your fellows whom you are representing here, you will repeal this section of the law in order that that injustice may not be done them.

We can not go home now and say that we have not had time for reflection and that these inequities have not been pointed out to us. Every one of us, in some way or other, has had brought to our individual attention the absolute unfairness and the impractical working of this section 209, and it affects every section of this country, from one end to the other. It does not apply only to the lawyers, but to other professions and businesses where the investment is only nominal. Therefore I say

to you that it is the bounden duty of this Congress to remedy this evil while it has a chance, before it becomes effective in the enforcement of the law by revenue collectors all over the country. I hope this matter will be given the consideration to which it is entitled, and I believe the greatest service that we can render before adjourning here and going back to our people is to be able to say to them that, having discovered an evil, we have remedied it at the first available opportunity.

Mr. KITCHIN. Mr. Chairman, I desire to occupy the four minutes that I have remaining right now. I would like for every man to pay just a little attention to the facts. Section 209, levying an 8 per cent tax, does apply to lawyers, doctors, and professional men, making them subject to the tax, as other provisions of the act make the farmers, the merchants, the blacksmiths, the butchers, the bankers, the miners, the lumbermen, and all other individuals in business subject to a tax, they paying from 20 to 60 per cent upon their profits or income in excess of their deduction, while, under section 209, lawyers and doctors and professional men and others without invested capital pay only 8 per cent in excess of their deductions. If the gentleman's amendment to repeal section 209 prevails, then every farmer, merchant, banker, miner, lumberman, blacksmith, butcher, and every other individual in business in the United States would have to pay on his profits or income in excess of his deduction the war-profits tax of from 20 per cent to 60 per cent—and it will average 25 per cent—while the lawyer, doctor, or other professional man or salaried business man would pay no excess-profits tax on his profits or income. I dare any man in this House to go back to his people, whether to the city or the country, and tell them that in voting to repeal section 209 while other provisions of the bill remain unrepealed he voted to make the man who must work from sunrise to sunset, and sometimes his wife and children working with him, whether a merchant, a butcher, a blacksmith, a banker, a miner, or a farmer, pay taxes as high as from 20 per cent to 60 per cent of his income or profits over his deduction to help carry on the war, and at the same time voted to make the lawyer or the doctor or high-salaried business man, who works mostly to suit himself, who makes his money by the devotion only of his time and brains, with no capital invested, pay not a cent of excess-profits tax on his profits or income to help our country in its war struggle. If you vote to repeal section 209, that is exactly what you are doing; and if you tell your people the truth, you will have to tell them that.

They say that a man ought not to pay an excess-profits tax who makes a profit or income in excess of \$6,000 from his brains and labor; that the lawyer makes it only by his brain and labor, and therefore he ought not to pay an excess-profits tax. Does not the farmer or merchant or blacksmith or any other business individual make his income not only by devoting his brains, his time, and his labor, but by risking his capital in his business? The farmer, the merchant, the banker, the lumberman, mechanic, or like individual not only puts into his business to make his income exactly what the lawyer and the doctor does—his brain and his labor—but his money, his capital. He takes financial risk; he makes financial sacrifices. He builds up industry. He gives employment to labor. He produces for public use. The lawyer takes no financial risks, makes no financial sacrifices. He builds up no industry. He employs no labor. He produces by his profession nothing for public use. And yet the advocates of the repeal of section 209 insist that the lawyer, doctor, and other professional and salaried men go scot free of the tax, while piling this heavy excess-profits tax burden on the backs of every other class of individuals. Gentlemen, you can not face your people, you can not face an honest man, you can not face your conscience around your hearthstone with such a vote.

What else does section 209 do? It not only applies to lawyers, doctors, professional men—which you gentlemen seem to be so anxious to protect and favor—but it was written into the act to meet another situation. Repeal section 209 and every corporation hereafter organized will escape the payment of the excess-profits tax. And why? This section applies to partnerships and corporations "without invested capital," according to the definition of the act. What will the corporations organized hereafter do if section 209 is repealed and nothing substituted for it?

The members will organize them without invested capital within the meaning of the act. They will issue no or only a nominal amount of stock and will do business on borrowed capital—borrowed from the members of the corporation. They will then escape the excess-profits tax. With section 209 repealed, if I wanted to organize, say, a \$4,000,000 corporation to escape this tax, and the three gentlemen in front here were associated

with me, we would issue no stock, or only a nominal amount, and then each of us would lend our \$1,000,000 to the corporation and it would do business on the borrowed capital without "capital invested." The corporation would escape all excess-profits taxes, though it might make a million a year. But section 209, which some of you wish to repeal, would catch that corporation and does catch hundreds of corporations already organized without "invested capital" under the definition of the act. But for this section many corporations now so organized would escape the payment yearly of millions of dollars of excess-profits taxes.

One thing more. The Secretary of the Treasury appointed nine, I believe, of the wisest men from all walks of business life as an advisory committee to study this new revenue act and to make such suggestions as they saw proper. They had hearings. Business men, including lawyers, from all over the country appeared before them. The gentleman from Tennessee [Mr. HULL], the only Member of Congress from either the Senate or the House on that committee, was made its chairman. They had meetings and worked day and night for three, four, or five weeks, and still are at work. That advisory committee unanimously agreed that section 209 was right and proper, and they have no suggestions to make, except that the tax rate of 8 per cent was not high enough to equalize the tax paid by those subject to it with the tax paid by those subject to the tax of section 201. I hope the amendment of the gentleman will not carry. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. Wood].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from South Dakota [Mr. DILLON] is recognized for three minutes.

Mr. DILLON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. DILLON offers the following amendment: Strike out all the words after the word "Congress," in line 5, page 2, down to the word "received," in line 9, page 2.

Mr. DILLON. Mr. Chairman, the purpose of this amendment is to bring the President and the Federal judges within the terms of this resolution. Under section 1, Article II, of the Constitution, "the President's salary can not be increased nor diminished during the period for which he shall have been elected." Under section 1, Article III, the judges' salaries can not be reduced during their tenure in office. Amendment No. 1 of the Constitution, which reads as follows:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived—

gives the Congress the absolute power to tax the salaries of these officials. Will any lawyer on this floor take the position that Federal judges and the President should be exempt from this tax? The sixteenth amendment grants full power to tax these officials. The taxing provision is without limitation, is without exception, so far as incomes are concerned. Articles II and III relate to compensation or salary. There is no confusion in these three articles of the Constitution. The first two provisions relate to salaries, but this last one relates to incomes from any source whatever. Why should the Federal judges be exempt from this income tax? Under what theory is the Congress going to say that these judges who have perpetual salaries during their whole life should be exempt? They know what they will receive, and I know they will willingly bear their part of the burden of this war. Why should we tax everybody on their incomes and exempt them? Upon what theory can you justify this injustice and go to the American people after they have expressed themselves upon the sixteenth amendment to the Constitution? There is absolutely no excuse for this exemption and this classification. If there is any lawyer upon this floor who can justify the exemption, I would like to have him tell us why the sixteenth amendment, which stands here without limitation and without exception, does not allow the Congress to levy taxes upon all incomes. Some must fight, but all who are able must pay in order that we may win the war. [Applause.]

Mr. Chairman, I ask for a vote on my amendment.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from South Dakota [Mr. DILLON].

The question was taken; and the Chairman announced the ayes seemed to have it.

Upon a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 93, noes 44.

Mr. KITCHIN. Mr. Chairman, I demand tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. RAINEY and Mr. DILLON) reported that there were—ayes 95, noes 54.

So the amendment was agreed to.

The CHAIRMAN. The gentleman from Nebraska [Mr. KINKAID] is recognized for three minutes.

Mr. KINKAID. Mr. Chairman, I grant that it is anomalous that the Congress is making haste now, at the beginning of this session, to relegislate what was enacted at the close of the last session, according to the best authorities on the subject. We are going about it speedily to make it clear, beyond a peradventure, that the congressional salaries are subject to the war excess-profits tax provision the same as incomes derivable from other sources—to make it plain that the Congress would not belittle and degrade itself by discriminating in favor of its own membership while imposing this burden of taxation upon its constituents.

The Congress is not legislating to reassure itself that membership salaries must pay an additional tax, because it is satisfied such is the law already; but its purpose is to set at rest completely in the public mind that such is the law. I agree with the Member from Missouri, the able and distinguished lawyer, Mr. RUSSELL, that "this is a bill to amend the revenue law passed at the last session of this Congress, but it is not for the purpose of correcting that law, but is simply for the purpose of making absolutely certain that which everyone in this House thought was certain when the act was passed. I have not yet found a man who was present when the revenue bill was passed who believes that there was any intention to, or that it did, in fact, exempt Members of Congress from the payment of their taxes under the excess-profits provision the same as salaries of all other citizens of the United States. But there is no doubt that among the people the belief does exist that we did exempt our salaries and I with many other Members of Congress have received letters from friends saying that Congress had taxed everything in sight except themselves and their own salaries, which were exempted."

Mr. Chairman, the Members know that in construing legislation the intent of the legislative body is to be given effect, when the language employed shall reasonably permit of it, and it is conclusive that the intention of both Houses was that congressional salaries should not escape the excess-profits tax provision.

The present step is impelled, also, by the purpose to satisfy constituencies, beyond cavil, that their chosen Senators and Representatives have acted conscientiously and fairly in the passing of the revenue law of October 3, 1917.

Mr. Chairman, I am heartily in favor of this Kitchin House joint resolution 195. On the first day of the session I, myself, was prompt to introduce House joint resolution 167, which, if enacted, would have the same legal effect as the Kitchin resolution; but, sir, I very cheerfully grant that it is most appropriate that the resolution of the gentleman from North Carolina [Mr. KITCHIN], who is chairman of the Ways and Means Committee, which formulated and reported to the House the revenue bill now under discussion, be given the right of way in preference to my resolution or that of anyone not a member of the Ways and Means Committee. In fact, I did not ask for the consideration of my resolution by the Ways and Means Committee, when I learned that similar resolutions had been introduced by members of that committee. Certainly, I should have sought consideration of my resolution by the committee had none been introduced by members of the committee.

Mr. Chairman, it is plain that the question—I may say, sensation, which will be short-lived, arising out of the legislation involved—has come about because of the difference between the popular and the legal or judicial construction of the words "officers of the United States." The popular, and perhaps the press construction would have this language include Members of Congress, while the legal or judicial construction excludes Senators and Representatives in Congress. If "officers of the United States," judicially interpreted, means Members of Congress, as well as the executive and administrative officers who are appointed to their offices and not elected, then the act of October 3, 1917, did not require that the portion of congressional salaries in excess of \$6,000 should pay a tax of 8 per cent. If it did not exclude them—in other words if they were left out of the exemption—then the excess-profits tax was imposed upon their salaries.

Since I have made a careful study of the act and of the decisions of the Supreme Court I am convinced that the language, "officers of the United States," as employed in the act of October 3, 1917, does not include Senators and Representatives in Congress; therefore, that their salaries were by the act made liable to the excess-profits tax of 8 per cent. And this seems to be the unanimous opinion of the membership of the House, which

includes many lawyers who before they came to Congress had attained distinction at the bar and on the bench.

It has also been reliably stated in this discussion that several lawyers in the Treasury Department, where the act is to be administered, are of the opinion that the salaries of Congressmen are not left exempt from the excess-profits tax. It is stated, also, that the collector of internal revenue, whose province it is to administer the provisions of the law by collecting the tax, is of the opinion that congressional salaries are covered by the excess-profits tax provision.

Several decisions in the Supreme Court are to the effect that only appointive officers are included in the language "officers of the United States." Hence, these decisions are to the effect that salaries of Congressmen were not exempted by the revenue act of October 3, 1917, but that their salaries are liable thereunder for payment of the excess-profits tax.

The opinions involve the construction of Article II, section 2, of the Constitution. These opinions construe the article to mean that only such persons as are appointed either by the President or by the courts or other proper authorities are "officers of the United States." They mean, therefore, that Senators and Representatives of the Congress, who must be elected, are not in the meaning of the Constitution "officers of the United States." To this effect are the opinions contained in *United States v. Smith* (124 U. S., 525-531); *United States v. Germaine* (99 U. S., 508); *United States v. Mouat* (124 U. S., 303), and in *Wharton's St. Trials*, 200, where it was expressly held that a United States Senator was not an "officer of the United States" in the meaning of the Constitution; of course, it is the same with a Representative in Congress. So, according to the highest judicial authority, salaries of Congressmen are required to pay excess-profits tax by the act of October 3, 1917.

The conferees who drafted section 209, now in controversy, most of them lawyers, must be presumed to have been aware of the construction placed upon the words "officers of the United States," and therefore intended that congressional salaries be made to pay the excess-profits tax.

The question may arise, in the light of these authorities, why reenact what is already law? I can only repeat that it is prompted by the duty and deference that Members of Congress owe their constituencies to assure them that the Congress has been fair. The Members further owe it mutually to themselves and their constituents, on account of the misunderstanding over the construction of section 209, to make a full exposé of the circumstances attending its adoption. It is very pertinent that the public be informed of the fact that section 209 was not contained in the bill when passed in the House, neither when it was passed by the Senate, nor when it came back to the House for the ratification of the amendments made in the Senate. This is a fact that no one controverts.

After the House had refused to concur in the Senate amendments and had asked for a joint conference and the conferees having been named by the House and the Senate had conferred, section 209, which has caused the questioning and discussion that have arisen, was first formulated and agreed upon by the conferees and by them reported to the Senate and the House. The report was unanimous with the result that no direct attention was called to section 209 by a printed minority report, usually accessible to every Member for his advice. The attention of Members of the House generally was not in any manner called to section 209, and few of the membership had knowledge that the section was contained in the conference report. On the other hand, the few who had such knowledge did not construe its language to exempt congressional salaries from the excess-profits tax. All the Members believed and assumed that their salaries were being made to pay excess-profits tax. No Member would have prostituted his power by thus shielding himself from participating with his constituents in carrying the burdens of the war.

It is only just to mention the remarkable unanimity with which the Members, regardless of party, have responded to every recommendation and demand made by the President for the enactment of war measures. No political partisanship predilection has betrayed itself in war legislation. The passing of the war resolution fixed the limit for any indecision or half-heartedness in the war cause. He who has not since been affirmatively and zealously for our cause is, even without any overt act to the contrary, in moral effect, against it. No difference what the predilection may have been hitherto, it became henceforward the patriotic obligation of every citizen to be absolutely devoted to the cause. Self-preservation, the first law of nature, without any other reason whatever—but the reasons are many—should impel every one to sustain the war heroically until the honorable peace shall be secured, which American genius and valor, reinforcing the unflinching and determined offensives of the allies, shall make certain.

My own votes and remarks on war measures have been in full accord with these expressions.

In the just recognition of the nonpartisan unanimity of the support of the war during the recent extra session Speaker CLARK, when officially closing the session, said:

Gentlemen of the House of Representatives, I congratulate you on the ending of the most important session of Congress in the history of the Republic. The amount of business that we have transacted is absolutely amazing and stupendous. I think every Member of this House has contributed all that was in him to the support of the Government of the United States in this great emergency. [Applause.] So far as I have been able to observe—and I have observed very closely—partisan politics has been temporarily banished from this House. [Applause.]

I think every man has given the utmost of patriotism to his service here.

Likewise the statement of the President concerning the work of the Congress during the extra session expressed appreciation of the high value of the service rendered. The President wrote:

OCTOBER 6, 1917.

The Sixty-fifth Congress, now adjourning, deserves the gratitude and appreciation of a people whose will and purpose I believe it has faithfully expressed. One can not examine the record of its action without being impressed by its completeness, its courage, and its full comprehension of a great task. The needs of the Army and the Navy have been met in a way that assures the effectiveness of American arms, and the war-making branch of the Government has been abundantly equipped with the powers that were necessary to make the action of the Nation effective.

I believe that it has also in equal degree, and as far as possible in the face of war, safeguarded the rights of the people and kept in mind the considerations of social justice so often obscured in the hasty readjustments of such a crisis.

It seems to me that the work of this remarkable session has not only been done thoroughly but that it has also been done with the utmost dispatch possible in the circumstances or consistent with a full consideration of the exceedingly critical matters dealt with. Best of all, it has left no doubt as to the spirit and determination of the country, but has affirmed them as loyally and as emphatically as our fine soldiers will affirm them on the firing line.

These high testimonials are very complimentary to the entire membership of the Congress, and especially to the minority, as a tribute to their patriotic nonpartisanship.

In view of all the facts and the grave situation it is unthinkable that the membership could have intended to discriminate in favor of themselves.

But, Mr. Chairman, the only constituent who spoke to me upon the question of exemption of salaries in the excess-profits tax disclosed in the language he used that he and his neighbors were under the impression that Congressmen had been exempted not only from the excess-profits tax but from any income tax whatever. For this reason I take time to mention here that under the law as it existed before the passage of the act of October 3, 1917, and now, a married Congressman who has no other income than his salary must pay an income tax of \$205. An unmarried Congressman having no other income must pay \$245. Both married and unmarried Congressmen under the act of October 3, 1917, as it now is, in the opinion of the best authorities and in the light of the decisions of the Supreme Court, are required to pay \$120 as war excess-profits tax in addition to their salary income tax, making the aggregate salary tax for married Congressmen \$325 and for unmarried Congressmen \$365. These amounts, I am sure, every Congressman will pay ungrudgingly and would be glad to double and treble in aiding our fight for civilization. [Applause.]

Mr. GILLET. Mr. Chairman, it seems to me the Committee on Ways and Means has brought this House into a very unfortunate and very unnecessary predicament. If we vote against this resolution we appear before the country as if we were voting against the proposition to make us pay the same tax as others, while on the other hand, if we vote for this resolution, we admit thereby that in the original bill we did try to exempt ourselves. Either way we are subject to the public criticism that at one time or the other we were trying to exempt our salaries from taxation.

Mr. BUTLER. Will the gentleman yield?

Mr. GILLET. I can not yield.

I do not believe there were half a dozen Members in this House when the original bill came out of the Ways and Means Committee that had any suspicion there was anything in the bill that would exempt them. And I do not believe that, if the bill remained as it was before, we were exempt. I believe on the arguments presented by the gentlemen from Iowa that the Members of Congress are not officers, and therefore the Members of Congress are subject to taxation just the same as anybody else. But at the same time we can not afford to vote against this bill, superfluous as I believe it is, because if we do we at once meet the criticism that we were trying to oppose a bill which would make us pay the same taxes as the rest of the country.

Mr. KITCHIN. But this clarifying item makes it beyond any doubt.

Mr. GILLET. But you ought never to have put us in the position where there was need for clarifying. The rumor is

that the Commissioner of Internal Revenue is going to decide that a Congressman under the present law would have to pay this excess-profits tax. And I think it would have been much better not to have put this in at all and thereby put us in the attitude of trying to repeal an exemption which we originally made in deference to public clamor.

Mr. KITCHIN. Does the gentleman believe the Ways and Means Committee or the conferees put the House in that position, or that the misrepresentation of the press throughout the country put the House in that position?

Mr. GILLETT. You put us in a position where the press were able to represent it so that the country believed it.

Mr. KITCHIN. Misrepresent it.

Mr. GILLETT. If you had waited the ruling of the Commissioner of Internal Revenue, then you would have put us in a position where the press could not have done it. And I heartily approve the amendment of the gentleman from Ohio [Mr. LONGWORTH], for I supposed it was axiomatic in any taxing system that the man who earns his income by his brains or by his brawn should not be taxed more on it than the man who earned his income simply by cutting inherited coupons.

Mr. ROSE. Mr. Chairman, it is doubtless true that under the act of October 3, 1917, the Members of Congress are required to pay all of the taxes set forth in the act. The words, however, are capable of two constructions, and an effort has been made to convince the people of the country that the Congressmen undertook to exempt their salaries from the payment of the tax.

I am fully satisfied that no Member of Congress had in mind the exemption of his salary from taxation, and I can not subscribe to the language of the gentleman from Iowa [Mr. GREENE] that we will be stultifying ourselves by making known the fact that we are not willing to escape payment of the taxes provided in the bill.

The Members of Congress are not Federal employees and hence would not be affected by the exception in the original bill, and this present resolution will set at rest completely all unjust criticism heaped upon the Members of this body.

I yield the balance of my time to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, while I do not consider there is any question but that the original revenue law makes the salaries of Congressmen liable to the excess-profit tax, still, in order to remove all doubt on the question, I am in favor of the resolution as amended and will vote for it. I voted for the amendment of the gentleman from South Dakota [Mr. DILLON].

Mr. KITCHIN. Mr. Chairman, I move that the committee do now rise and report the resolution as amended.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WATSON of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 195, amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, and had directed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

Mr. KITCHIN. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

Mr. MOORE of Pennsylvania. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To make a request for the yeas and nays.

The SPEAKER. The gentleman does not want the yeas and nays on the engrossment of the third reading, does he?

The gentleman from North Carolina [Mr. KITCHIN] moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MOORE of Pennsylvania. Mr. Speaker—

Mr. GILLETT. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. GILLETT. Mr. Speaker, I move to recommit the resolution to the Committee on Ways and Means with instructions not to report it to the House until the Commissioner of Internal Revenue shall have ruled whether under the present bill the Members of Congress are subject to the excess-profit tax.

Mr. MOORE of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] moves to recommit the bill with instructions, which the Clerk will report.

Mr. KITCHIN. Mr. Speaker, I make a point of order against that. It is putting off the resolution until somebody else not within control of the House rules on it. It is like the motion of the gentleman from Illinois [Mr. MANN] to recommit the Underwood tariff bill of 1913, to postpone passage of the tariff bill until the Tariff Board reported. The Speaker properly held such a motion to recommit out of order.

The SPEAKER. The Chair will hear the gentleman on the point of order.

Mr. KITCHIN. The gentleman from Massachusetts moves to recommit this resolution to the committee until the Commissioner of Internal Revenue reports or rules on the exemption or exception provisions of the revenue act. That is not pertinent to this resolution at all. It has nothing to do with it. It is simply to delay it. It is indefinite. The commissioner may never rule on it at all. He never has to rule on it until he begins to collect this tax and some Federal official protests against it.

The Mann motion to recommit the Underwood tariff bill cited by me is exactly in point and on all fours with the motion of the gentleman from Massachusetts. At the proper time Mr. MANN moved to recommit with instructions not to report the bill until the Tariff Commission or the Tariff Board had reported. After nearly an all day's discussion the Speaker held that it was not in order to recommit, because such a proposition, if offered as an amendment to the tariff bill, would not have been in order, and unless it had been in order while considering the tariff bill in the Committee of the Whole House on the state of the Union it could not be in order on a motion to recommit. We never could vote on a proposition if we had to wait until somebody not within the control of the House reports on it.

Now, suppose, Mr. Speaker, that the gentleman from Massachusetts [Mr. GILLETT] had made this motion or offered this amendment to this bill when in Committee of the Whole House on the state of the Union. Would that have been in order? Would it have been germane to the bill? It would have been absolutely out of order, and a point of order would have been sustained unhesitatingly.

Now, unless it is in order on a motion to amend it would not be in order as a motion to recommit. That is a clear and fixed rule.

Mr. GILLETT. Mr. Speaker, of course I could not move to recommit the resolution in committee. But that does not prove anything. I could now have moved to recommit absolutely, without limit. Suppose I had simply asked to recommit. That would postpone the bill still more indefinitely than the motion that I did make, so that the mere fact that it postpones the bill indefinitely does not argue against the right to make such motion. There is no question but that I would have the right to move simply to recommit. That would recommit indefinitely. I am more liberal than that. I do not move to recommit it entirely, but I just move to recommit it until an event happens. If I could move to recommit it absolutely I do not see why I have not the right to recommit it to a time which is more restricted than that. If I have the right to do the whole, I certainly have the right to do a part.

Mr. GARRETT of Tennessee. Mr. Speaker, there are numerous precedents for holding that a motion to recommit is not in order unless the legislative matter it contains would have been in order if offered as an amendment while the bill was under consideration in Committee of the Whole.

Mr. GILLETT. Mr. Speaker, may I ask the gentleman a question?

Mr. GARRETT of Tennessee. Yes.

Mr. GILLETT. It would not have been in order in Committee of the Whole to make a simple motion to recommit?

Mr. GARRETT of Tennessee. It would not have been.

Mr. GILLETT. It is in order here.

Mr. GARRETT of Tennessee. The gentleman from Massachusetts evidently misunderstood my statement and the statement of the gentleman from North Carolina. Of course a motion to recommit would not be in order in Committee of the Whole. But there are numerous precedents holding that a motion to recommit is not in order unless its legislative substance would have been in order if offered as an amendment in Committee of the Whole. That is the substance of it—offered

as an amendment while the bill was under consideration in the Committee of the Whole.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Mr. Speaker, if the gentleman from Tennessee will yield—

Mr. GARRETT of Tennessee. Yes; I yield to the gentleman from Kentucky.

Mr. SHERLEY. The rule is this, that a motion to recommit with instructions would not be in order unless the instructions of the motion to recommit would have been in order as an amendment to the bill.

Mr. GARRETT of Tennessee. The gentleman from Kentucky has stated more clearly than I that which is the correct rule.

Mr. LENROOT. Mr. Speaker, will the gentleman yield to me?

Mr. GARRETT of Tennessee. I will.

Mr. LENROOT. The statement of the gentleman from Kentucky is absolutely correct if the instructions carried with it an amendment. But I do not think it is true if the instruction does not involve any amendment at all. The question is, Would that have been in order at any time when a motion to recommit or refer was in order if an instruction had been coupled with it?

Mr. GARRETT of Tennessee. In reply to that I will repeat the precedent which has been referred to by the gentleman from North Carolina. I mean when a motion to recommit the Underwood tariff bill was made by Mr. MANN, with instructions to await the report of the Tariff Commission before reporting any bill at all. The matter is clearly subject to a point of order.

The SPEAKER. The point of order is sustained. The question is on the passage of the joint resolution. Those in favor will say "aye."

Mr. EMERSON. Mr. Speaker, I raise the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and one gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of passing this joint resolution will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 312, answered "present" 2, not voting 119, as follows:

YEAS—312.

Adamson	Dallinger	Green, Iowa	Langley
Alexander	Davidson	Greene, Mass.	Larsen
Almon	Decker	Greene, Vt.	Lazaro
Anderson	Denison	Gregg	Lea, Cal.
Ashbrook	Dent	Hadley	Lehbach
Aswell	Denton	Hamilton, Mich.	Lenroot
Austin	Dickinson	Hamilton, N. Y.	Lever
Ayres	Dillon	Hamlin	Linthicum
Bacharach	Dixon	Hardy	Little
Baer	Domink	Harrison, Miss.	Littlepage
Bankhead	Doolittle	Harrison, Va.	Loebck
Barkley	Doremus	Haskell	London
Barnhart	Doyell	Hastings	Loneragan
Benkes	Drane	Hawley	Longworth
Bell	Dunn	Hayden	Lufkin
Beshlin	Dupré	Heaton	Lundeen
Black	Dyer	Heflin	Lunn
Blackmon	Eagan	Helm	McAndrews
Booher	Eagle	Helvering	McArthur
Borland	Elliott	Hersey	McClatic
Bowers	Ellsworth	Hicks	McCormick
Brand	Elston	Hilliard	McCulloch
Browning	Emerson	Holland	McFadden
Brumbaugh	Esch	Hollingsworth	McKeown
Buchanan	Evans	Hood	McKinley
Burnett	Fairchild, B. L.	Howard	McLaughlin, Mich.
Burroughs	Fairfield	Huddleston	McLemore
Butler	Farr	Hull, Iowa	Madden
Byrnes, S. C.	Ferris	Hull, Tenn.	Magoe
Byrnes, Tenn.	Fields	Humphreys	Mansfield
Campbell, Kans.	Fisher	Igoe	Mapes
Campbell, Pa.	Flood	Ireland	Mays
Candler, Miss.	Focht	Jacoway	Merritt
Cantrill	Fordney	James	Miller, Minn.
Caraway	Foss	Johnson, Ky.	Montague
Carlin	Foster	Johnson, S. Dak.	Moon
Carter, Okla.	Francis	Jones, Tex.	Moore, Ind.
Chandler, N. Y.	Frear	Keating	Morgan
Church	French	Kehoe	Mott
Classon	Fuller, Ill.	Kelley, Mich.	Mudd
Claypool	Fuller, Mass.	Kelly, Pa.	Nichols, S. C.
Coady	Gallagher	Kennedy, Iowa	Nolan
Collier	Gandy	Kennedy, R. I.	Norton
Connally, Tex.	Gard	Kettner	Oldfield
Connelly, Kans.	Garland	Key, Ohio	Oliver, Ala.
Cooper, Ohio	Garrett, Tenn.	Kiess, Pa.	Oliver, N. Y.
Cooper, W. Va.	Garrett, Tex.	Kincheloe	Olney
Cooper, Wis.	Gillett	King	Osborne
Copley	Glass	Kinkaid	O'Shaunessy
Crampton	Glynn	Kitchin	Overmyer
Crisp	Gordon	Kutson	Overstreet
Crosser	Gould	Kraus	Park
Dale, N. Y.	Graham, Ill.	Kreider	Parker, N. J.
Dale, Vt.	Gray, Ala.	La Follette	Parker, N. Y.

Phelan
Platt
Pou
Powers
Pratt
Purnell
Quin
Raney
Raker
Ramsey
Ramseyer
Randall
Rankin
Rayburn
Reed
Riordan
Robbins
Roberts
Rodenberg
Romjue
Rose
Rouse
Rube
Rucker

Russell
Sabath
Sauders, Ind.
Schall
Scott, Mich.
Sears
Sells
Shallenberger
Sherley
Sherwood
Shouse
Siegel
Sims
Sinnott
Sisson
Slayden
Sloan
Smith, Idaho
Smith, Mich.
Smith, T. F.
Snell
Snook
Steagall
Stedman

Steenerson
Stephens, Miss.
Sterling, Ill.
Sterling, Pa.
Stevenson
Stiness
Strong
Summers
Sweet
Swift
Switzer
Taylor, Ark.
Temple
Thomas
Thompson
Tillman
Timberlake
Towner
Treadway
Venable
Vestal
Vinson
Voigt
Volstead

Waldow
Walsh
Walton
Watkins
Watson, Pa.
Watson, Va.
Weaver
Welling
Welty
Whaley
Wheeler
White, Me.
White, Ohio
Williams
Wilson, Ill.
Wilson, La.
Wingo
Winslow
Wise
Wood, Ind.
Woods, Iowa
Young, N. Dak.
Young, Tex.
Zihlman

ANSWERED "PRESENT"—2.

Cannon

Fitzgerald

NOT VOTING—119.

Anthony
Bathrick
Bland
Blanton
Britten
Brodbeck
Browne
Bruckner
Caldwell
Capstick
Carew
Carter, Mass.
Cary
Chandler, Okla.
Clark, Fla.
Clark, Pa.
Costello
Cox
Crago
Currie, Mich.
Curry, Cal.
Darrow
Davis
Dempsey
Dewalt
Dies
Dill
Doelling
Doughton
Drucker

Edmonds
Estopinal
Fairchild, G. W.
Fess
Flynn
Freeman
Gallivan
Garner
Godwin, N. C.
Good
Goodall
Goodwin, Ark.
Graham, Pa.
Gray, N. J.
Griest
Griffin
Hamill
Hangen
Hayes
Helntz
Hensley
Houston
Hulbert
Husted
Hutchinson
Johnson, Wash.
Jones, Va.
Juul
Kahn
Kearns

LaGuardia
Lee, Ga.
Leshner
McKenzie
McLaughlin, Pa.
Mann
Martin
Mason
Meeker
Miller, Wash.
Mondell
Moore, Pa.
Morin
Neely
Nelson
Nichols, Mich.
Padgett
Paige
Peters
Polk
Porter
Price
Ragsdale
Reavis
Robinson
Rogers
Rowe
Rowland
Sanders, La.

Sanders, N. Y.
Sanford
Saunders, Va.
Scott, Iowa
Scott, Pa.
Scully
Shackelford
Slemp
Small
Smith, C. B.
Snyder
Stafford
Steele
Stephens, Nebr.
Sullivan
Tague
Talbot
Taylor, Colo.
Templeton
Tilson
Tinkham
Van Dyke
Vare
Walker
Ward
Wason
Webb
Wilson, Tex.
Woodyard

So the joint resolution was passed.

The Clerk announced the following additional pairs:

For the session:

Mr. TALBOTT with Mr. BROWNING.

Until further notice:

Mr. BRODBECK with Mr. BLAND.

Mr. CALDWELL with Mr. CHANDLER of Oklahoma.

Mr. CLARK of Florida with Mr. CARTER of Massachusetts.

Mr. DIES with Mr. DEMPSEY.

Mr. ESTOPINAL with Mr. FREEMAN.

Mr. FLYNN with Mr. GOOD.

Mr. GALLIVAN with Mr. GRIEST.

Mr. GRIFFIN with Mr. HAYDEN.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. HULBERT with Mr. KAHN.

Mr. JONES of Virginia with Mr. GEORGE W. FAIRCHILD.

Mr. NEELY with Mr. MCKENZIE.

Mr. LEE of Georgia with Mr. DARROW.

Mr. LESHER with Mr. TILSON.

Mr. MAHER with Mr. EDMONDS.

Mr. MARTIN with Mr. MASON.

Mr. SULLIVAN with Mr. MONDELL.

Mr. PADGETT with Mr. MORIN.

Mr. POLK with Mr. SLEMP.

Mr. PRICE with Mr. ROWLAND.

Mr. TAYLOR of Colorado with Mr. SANDERS of New York.

Mr. SANDERS of Louisiana with Mr. PAIGE.

Mr. SMALL with Mr. PORTER.

Mr. CHARLES B. SMITH with Mr. REAVIS.

Mr. STEELE with Mr. ROWE.

Mr. VAN DYKE with Mr. SNYDER.

Mr. WALKER with Mr. TEMPLETON.

Mr. WEBB with Mr. WARD.

Mr. DILL with Mr. HUSTED.

Mr. HENSLEY with Mr. JOHNSON of Washington.

Mr. BROWNING. Mr. Speaker, I voted "yea." I have a pair with the gentleman from Maryland, Mr. TALBOTT, but if he were present he would vote "yea" also, and therefore I let my vote stand.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SEARS until January 12, on account of important personal business.

FARM LOANS.

Mr. HARRISON of Mississippi. Mr. Speaker, I have a resolution from the Committee on Rules.

The SPEAKER. The gentleman will send it up.

The Clerk read as follows:

House resolution 197.

Resolved, That immediately upon the adoption of this resolution the House shall proceed to consider H. R. 7731, amending section 32 of the Federal farm-loan act; that said bill shall be considered in the House as in Committee of the Whole House and shall be a continuing order of the House until disposed of; that there shall be not exceeding one hour of general debate on said bill, at the conclusion of which time the previous question shall be considered as ordered on the bill and all amendments thereto to the final passage.

Mr. HARRISON of Mississippi. Mr. Speaker, I will ask the gentleman from Kansas [Mr. CAMPBELL] how much time is desired on that side on the rule.

Mr. CAMPBELL of Kansas. I have requests for 40 minutes.

Mr. HARRISON of Mississippi. Does the gentleman think 20 minutes on a side will be sufficient?

Mr. CAMPBELL of Kansas. Make it 30 minutes.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent that the debate on this rule proceed for 40 minutes, 20 minutes to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and 20 minutes by myself.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that debate on this rule be limited to 40 minutes, half the time to be controlled by himself and half by the gentleman from Kansas.

Mr. HARRISON of Mississippi. And that at the expiration of that time the previous question be considered as ordered.

The SPEAKER. And that at the expiration of that time the previous question be considered as ordered. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, will the gentleman permit a question?

Mr. HARRISON of Mississippi. I yield to the gentleman.

Mr. DYER. Will the gentleman state what is the intention with reference to adjournment to-day, and how long he thinks this matter will take?

Mr. HARRISON of Mississippi. We ought to get through with this proposition in an hour and a half, if it is not interfered with too much.

Mr. DYER. Does the gentleman think that will be a reasonable time to adjourn to-day?

Mr. HARRISON of Mississippi. We ought to finish this very quickly. I do not think there is any opposition to the matter at all.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I should like to know if the gentleman from Mississippi [Mr. HARRISON] and the gentleman from Kansas [Mr. CAMPBELL] are both in favor of this rule?

Mr. CAMPBELL of Kansas. If the gentleman from Pennsylvania will direct his inquiry to me, I will tell him that I am opposed to it.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. The gentleman from Mississippi is recognized for 20 minutes.

Mr. HARRISON of Mississippi. Mr. Speaker, I know of no vote that I have cast since I became a Member of this House that has given me greater pleasure than the one I cast for the rural-credits bill. [Applause.]

High and exorbitant interest rates had long been exacted on loans to the farmers of the country and the passage of the farm-loan act was a very just and necessary measure. When we created that system we led the farmers of this country to believe that by its provisions they would be enabled to borrow money on long terms at low rates of interest. We believed and led them to believe that the system would be a great success. At first there was an apparent delay in inaugurating the system, due to first one thing and then another, but finally the system became organized, and when it was placed in operation it rendered benefit to the farmers to the amount of \$30,000,000. That amount has already been lent and to-day we are confronted with this situation: There are now on file applications amounting to about \$70,000,000, which have been approved by the

Federal Farm Loan Board, and the farmers are waiting to get that money. Their plans have been made on the idea that they would be able to obtain the money.

This Government is under a moral, if not a legal, obligation to lend the farmers that money. In addition to that, there are about \$65,000,000 of applications for loans that have not been acted upon by the Federal Farm Loan Board. The board have been unable since about the 1st of November to sell a sufficient amount of bonds to make loans on the approved applications. Since the great campaign for the second liberty loan there has been a most decided falling off in the purchase of farm-loan bonds. There is either a scarcity of money that influences the sale of these bonds or the bond investors are waiting, hoping and believing that the farm-loan bonds will either depreciate in value or the interest rate increase. In either such event the farmer would have to pay the bill. If the bonds sell at a discount, then the Farm Loan Board will necessarily increase the interest rate to the farmer. If the interest rate on the bonds is increased, then the Farm Loan Board will increase the interest rate to the farmer. In either event the productive energies of this Nation will be hampered, and hampered at a time when we can least afford it.

In this great crisis every force of the Government must be utilized that will aid in the slightest degree the success of our cause. If the Farm Loan Board is unable to sell these bonds and make loans to the farmers on legitimate applications that are filed with the various farm-land banks, and that failure is due to the war emergency, then this Government can perform no wiser or more just thing than to purchase the bonds and sell them when normal conditions prevail again. [Applause.]

No class of our people has responded more loyally and promptly to the demands of the Government than have the farmers. In certain sections last year, notably in my section, floods came, storms swept over the country, and unfavorable climatic conditions prevailed, adding greater burdens to the already stooped shoulders of the farming classes. But the farmer did not waver; he set heroically to his task, and from early morn till dewy eve, in the sweat of his brow, labored that the world might be fed. This year when the President sounded the call to the farmers of the country to plant greater acreage that the armies and civilian population might be supplied in this great crisis, they responded by insuring us the greatest food crops in the history of our country. [Applause.] This year we have a wheat crop fifteen million and a corn crop five hundred and ninety-three million bushels more than last year.

Springtime and planting season are approaching. These thousands of farmers who have made application for loans are depending on the success of this system in furthering their plans for next year. If they fail to obtain these loans in this crisis, it will challenge the success of the rural-credit system.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. GREENE of Vermont. The gentleman says that it is owing to the subscription to the liberty-loan bonds on the part of the farmers that they are not able to meet their obligations.

Mr. HARRISON of Mississippi. Oh, the gentleman misunderstood me. It may be attributed to two or three reasons. The farmers have subscribed for the liberty-loan bonds as much as they could, as much as the people of the towns. They have been patriotic, but it may be that the capitalists, the bond purchasers, having an idea that because of the large amount of liberty bonds placed on the market that in the course of time these Federal farm-loan bonds would either depreciate or the interest rate would be increased so that they could get a better investment. In other words, for some reason known to themselves they are not purchasing the bonds. It is not because the farmers have bought liberty-loan bonds. These people who need this money are farmers not able to buy liberty bonds, or, if they do buy, they necessarily borrow the money through the banks to make their purchases; but other farmers who were able bought them in as large quantities as the people in towns.

Mr. GREENE of Vermont. Then it comes down to this, that the original prospect or project that \$9,000,000 should be taken to finance this thing to make up for the expected difference has failed.

Mr. HARRISON of Mississippi. No; I understand that the first bonds on the market sold at a premium of $\frac{1}{4}$ per cent.

Mr. GREENE of Vermont. I am talking about the amount of money that was to be taken from the Treasury to finance this proposition.

Mr. HARRISON of Mississippi. Oh, well, the gentleman is just against the bill; and the gentleman knows that the fact is the Farm Loan Board can not sell these bonds, and the Government ought to take them over to the extent of a hundred million this year and a hundred million next year. [Applause.] Those

in the House who are friendly to the farmer and want to do something for the situation that has arisen will support the bill. [Applause.]

Mr. GREENE of Vermont. Yes; but I want to know how I am helping the farmer before I get carried away by rhetoric.

Mr. HARRISON of Mississippi. The gentleman will help him by providing for a sale of these bonds. [Applause.] The Government is under a moral, if not legal, obligation to make these loans.

Mr. GREENE of Vermont. The original expectation that \$9,000,000 would do this has failed.

Mr. GLASS. We did not think that \$9,000,000 would be a drop in the bucket. The main source of revenue was to be derived from the sale of the bonds.

Mr. GREENE of Vermont. The Government was to come in to the extent of \$9,000,000.

Mr. GLASS. Not at all. The capital stock of the Federal Loan Bank was fixed at \$9,000,000. That was not expected to afford as much as a drop in the bucket toward accommodating the farm loans in the country, but the main source of revenue was to be derived from a sale of the farm-loan bonds.

Mr. GREENE of Vermont. So the scheme has not turned out as was expected.

Mr. HARRISON of Mississippi. Mr. Speaker, I refuse to yield further. The scheme has been a magnificent success.

Mr. PLATT. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. PLATT. Can the gentleman tell why the farmers' loan board can not sell bonds at $4\frac{1}{2}$ per cent interest that are not taxable while the Government sells 4 per cent bonds?

Mr. HARRISON of Mississippi. I can not tell, unless some of the gentleman's constituents want to extort a higher interest rate from my constituents who desire to borrow money. [Applause.]

Mr. PLATT. I can tell the gentleman why—

Mr. HARRISON of Mississippi. Mr. Chairman, I refuse to yield further.

Mr. SABATH. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. SABATH. In view of the great yield in crops that the gentleman has stated, for which the farmers get a greater price than ever before in the history of the Nation, can the gentleman tell us why the farmers need the money?

Mr. HARRISON of Mississippi. The gentleman ought to know that the farmers of this country are situated like men in the cities—some of them are very poor and some very rich. This will provide for the farmers who need the money and need it badly, and not those who do not need it, and the gentleman can render a great service to them by helping them in the present situation.

Mr. SABATH. I am willing to help the farmer that needs help, but I am not willing to help a farmer who hoards his products for an exorbitant price, and who for that reason makes a loan and asks us to help enhance the price of his products.

Mr. HARRISON of Mississippi. I may say that it is the opinion of the Farm Loan Board that the Government may not be compelled to take over the bonds. They may not need a dollar of money, but it will be a stimulant and an encouragement to those who might want to invest.

I know the impression has prevailed in some quarters that the farmers are against the war. In my own State I have heard the cry go up that the farmers are against the war, meaning that they are less patriotic than the people in the towns. I deny such a slanderous statement. [Applause.] In this crisis the farmers have responded as patriotically to the demands of the Government as have the men in the cities. They have given their boys and their labor to win the war. They have bought, as they were able to, liberty loan bonds, and in many instances they have borrowed money with which to purchase the bonds. They have contributed to the Red Cross and the Young Men's Christian Association. They are just as patriotic as the farmers have always been. Throughout the history of this country the farmers have played as great a part, in times of peace as well as times of war, as the people in the towns and cities. [Applause.]

Cincinnatus retired from the leadership of the greatest empire the world has ever seen to go to his farm and plow before the season was too far advanced. George Washington refused to accept a third term as President of the United States because he desired to return to Mount Vernon and cultivate his farm. Thomas Jefferson, James Madison, James Monroe, and thousands of others whose names are illustrious in history, were men who loved the pursuits of the farm. I love to look at that page in history and see the picture of Israel Putnam, that brave and sturdy New England farmer, who, hearing the clarion notes of the bugle

call, left his plow in the fields and went forth in his working clothes to join the other patriots and help win the Revolutionary War. It was the embattled farmers of Lexington that gave their services, and in many instances their lives, that our independence might be won. At Kings Mountain it was farmers from Virginia and North Carolina that gave us victory. From '61 to '65 as brave men as enlisted in the Federal or the Confederate Armies came from the farms of the North and the South. [Applause.]

To-day the Rural Credit System is in the balance. Its continued success depends, in a large measure, on the fate of this resolution, and in behalf of the farmers of this country I plead with those gentlemen who oppose the passage of the resolution to withdraw their opposition that we may send to the farmers a Christmas message of good cheer and good faith, letting them know that their loans will be made and that the Rural Credit System is a success. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, I enjoyed very much the eloquent remarks of the gentleman from Mississippi [Mr. HARRISON], but they did not give me much reason why this rule should be adopted. It strikes me as very extraordinary that on December 15—last Saturday—the gentleman from Virginia [Mr. GLASS] should for the first time introduce this bill providing for the expenditure by the Government of \$200,000,000, and that on the same day there should be introduced a rule to take up the vast proposition, and providing further that we should consider it with only one hour of general debate, and that then the previous question should be considered as ordered, so that there would be no five-minute debate or opportunity to amend. I agree that we are getting accustomed to voting out hundreds of millions and even billions of dollars without a great deal of consideration or knowledge, but to come forward Saturday last for the first time and give us notice then that he was going to ask \$200,000,000, and then to-day to come forward with a rule granting only one hour of debate seems to me to be the very climax of arbitrary legislation. As I understand it, there have been no hearings except two or three before a subcommittee at the very end of last week. The need for this money can not be anything new. If the farmers of this country are in such terrible condition that they need \$200,000,000 right offhand, they must have known it before last Saturday, and if they did not know it before last Saturday it can not be so pressing that they can not give us time to inquire into it and investigate it. It seems to me that it is an outrageous proposition to bring before us without time to give us the facts, without time to investigate whether the action of these farm boards has been such as to merit our approval. I have heard something about the operation of the farm loan board in my district, and I regret that it is not such as to give me great confidence. There are scandals already rumored about these institutions, and before we are asked to come forward and vote \$200,000,000 more, before we are asked to indorse a proposition which I think the gentleman from Virginia [Mr. GLASS] himself opposed when it was originally brought forward at the time of establishing the system, we ought to have time in which to make a thorough investigation and learn something about the real facts.

If I mistake not, when this original farm-loan proposition was brought forward it was urged that the Government should back these bonds, and that proposition was voted down by Congress. We decided that it was a business proposition, and that these farm-loan bonds ought to stand on their merits. I recognize, of course, that the war has made a difference, and I recognize that it is much more difficult to float any bonds since the war than it was before; but the grievance that I have against this rule is not the merit of the bill but that it is brought in here on the last evening of the session, without our having any knowledge of it, without any hearings except just by the head of the Farm Loan Board, when the House, except the very few members of the Banking and Currency Committee, has had absolutely no opportunity to acquire any information and when the House impatient to adjourn is in no disposition to consider it impartially. I am not surprised that the gentleman from Mississippi [Mr. HARRISON] moved the adoption of this rule. I notice that Mississippi has \$4,000,000 of these farm-loan bonds already approved. Mississippi can not get the money readily, I presume, and they want the United States to come in and advance it.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. Mr. Speaker, this is a very important matter and there are not enough present to properly consider it. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair

will count. [After counting.] One hundred and twenty-two Members present—not a quorum.

Mr. HARRISON of Mississippi. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Dunn	Kiess, Pa.	Rowe
Almon	Edmonds	LaGuardia	Rowland
Anthony	Estopinal	Lee, Ga.	Rucker
Bacharach	Fairchild, G. W.	Longworth	Sanders, La.
Bathrick	Fess	McCormick	Sanders, N. Y.
Bell	Fitzgerald	McKenzie	Saunders, Va.
Black	Flynn	McKinley	Scott, Iowa
Bland	Focht	McLaughlin, Pa.	Scott, Mich.
Blanton	Fordney	Madden	Scott, Pa.
Booher	Foss	Magee	Scully
Borland	Frear	Maher	Sears
Brodbeck	Gallagher	Mann	Shackleford
Browne	Gallivan	Mason	Sisson
Bruckner	Garner	Meeker	Slemp
Brumbaugh	Garrett, Tex.	Miller, Wash.	Small
Caldwell	Godwin, N. C.	Mondell	Smith, Charles B.
Capstick	Good	Morin	Snyder
Carew	Goodall	Mott	Stafford
Carter, Mass.	Goodwin, Ark.	Mudd	Stedman
Cary	Graham, Pa.	Neely	Steele
Chandler, Okla.	Gray, N. J.	Nelson	Stephens, Nebr.
Church	Griest	Nicholls, S. C.	Sterling, Pa.
Clark, Fla.	Griffin	Nichols, Mich.	Sullivan
Clark, Pa.	Hamlin	Padgett	Summers
Connally, Tex.	Hayes	Paige	Tague
Copley	Heintz	Parker, N. J.	Talbot
Costello	Hensley	Parker, N. Y.	Taylor, Colo.
Crago	Holland	Peters	Templeton
Crosser	Houston	Polk	Tilson
Currie, Mich.	Howard	Porter	Tinkham
Curry, Cal.	Hulbert	Powers	Vare
Darrow	Husted	Price	Walker
Davis	Hutchinson	Purnell	Ward
Dempsey	Johnson, S. Dak.	Ragsdale	Wason
Dewalt	Johnson, Wash.	Rayburn	Webb
Dies	Jones, Va.	Reavis	Welling
Dill	Juul	Reed	Wilson, Ill.
Dominick	Kahn	Roberts	Winslow
Dooling	Kearns	Robinson	Woodyard
Doughton	Kennedy, R. I.	Rodenberg	Zihlman
Drukker	Key, Ohio	Rogers	

The SPEAKER. On this roll call 270 Members answered to their names, a quorum. The Doorkeeper will unlock the doors.

Mr. HARRISON of Mississippi. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. They are dispensed with automatically.

EXTENSION OF REMARKS.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent to extend remarks I made yesterday for five or six minutes so as to present them connectedly.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

FARM LOANS.

Mr. LENROOT. Mr. Speaker, I have just discovered that the rule as read from the desk is not the rule which the Committee on Rules has agreed upon, and I wish to raise the point of order on it now.

Mr. GILLET. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Massachusetts moves that the House do now adjourn.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. WINGO. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman demands a division.

The House divided; and there were—ayes 101, noes 160.

Mr. WINGO. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. On this vote the ayes are 101, the noes are 160, and the gentleman from Arkansas demands the yeas and nays.

Mr. WINGO. Mr. Speaker, I withdraw the demand.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 96, nays 185, answered "present" 1, not voting 151, as follows:

YEAS—96.

Anderson	Campbell, Kans.	Davidson	Elston
Black	Cannon	Denison	Emerson
Bowers	Classon	Dunn	Fairchild, B. L.
Britten	Cooper, W. Va.	Eagan	Fairfield
Burroughs	Dale, Vt.	Elliot	Fordney
Butler	Dallinger	Ellsworth	Foss

Francis	Hollingsworth	Moore, Ind.	Smith, Mich.
Freeman	Ireland	Nichols, Mich.	Snell
Fuller, Ill.	Kelley, Mich.	Osborne	Steele
Fuller, Mass.	Kennedy, Iowa	O'Shaunessy	Sterling, Ill.
Garland	King	Parker, N. J.	Stiness
Gillett	Kraus	Parker, N. Y.	Strong
Glynn	Kreider	Platt	Swift
Gordon	Lea, Cal.	Pratt	Switzer
Gould	Leibach	Ramsey	Treadway
Graham, Ill.	Lenroot	Ramseyer	Vestal
Green, Iowa	Little	Reed	Waldow
Greene, Mass.	Lufkin	Robbins	Walsh
Greene, Vt.	McCormick	Rose	Watson, Pa.
Haskell	McFadden	Sanders, Ind.	White, Me.
Haugen	Madden	Sanford	Winslow
Heaton	Merritt	Sherwood	Wood, Ind.
Hersey	Miller, Minn.	Siegel	Woods, Iowa
Hicks	Moore, Pa.	Slayden	Zihlman

NAYS—185.

Alexander	Fields	Leshner	Schall
Ashbrook	Fisher	Lever	Scott, Mich.
Aswell	Flood	Linthicum	Sells
Austin	Foster	Littlepage	Shallenberger
Ayres	French	Lobeck	Sherley
Baer	Gallagher	London	Shouse
Bankhead	Gandy	Loneragan	Sims
Barkley	Gard	Lunden	Sinnot
Barnhart	Garrett, Tenn.	Lunn	Smith, Idaho
Beakes	Glass	McAndrews	Smith, T. F.
Bell	Gray, Ala.	McArthur	Snook
Beshlin	Gregg	McClintic	Steagall
Blackmon	Hadley	McClulloch	Steenerson
Brand	Hamill	McKeown	Stephens, Miss.
Buchanan	Hamilton, Mich.	McLaughlin, Mich.	Stevenson
Burnett	Hamlin	McLemore	Summers
Byrnes, S. C.	Hardy	Mansfield	Sweet
Byrns, Tenn.	Harrison, Miss.	Mapes	Taylor, Ark.
Campbell, Pa.	Harrison, Va.	Martin	Thomas
Candler, Miss.	Hastings	Mays	Thompson
Cantrill	Hayley	Montague	Tillman
Caraway	Hayden	Moon	Timberlake
Carlin	Healin	Morgan	Townner
Carter, Okla.	Helm	Nolan	Van Dyke
Claypool	Helvering	Norton	Venable
Coady	Hilliard	Oldfield	Vinson
Collier	Hood	Oliver, Ala.	Voigt
Connelly, Kans.	Huddlestone	Oliver, N. Y.	Volstead
Cooper, Wis.	Hull, Iowa	Olney	Walton
Cramton	Hull, Tenn.	Overmyer	Watkins
Crisp	Humphreys	Overstreet	Watson, Va.
Dale, N. Y.	Igoe	Park	Weaver
Decker	Jacoway	Phelan	Welling
Dent	James	Pon	Welty
Denton	Johnson, Ky.	Quin	Whaley
Dickinson	Johnson, S. Dak.	Raney	Wheeler
Dillon	Jones, Tex.	Raker	White, Ohio
Dixon	Keating	Randall	Williams
Doolittle	Kehoe	Rankin	Wilson, La.
Dowell	Kelly, Pa.	Riordan	Wilson, Tex.
Drane	Key, Ohio	Roberts	Wingo
Dupré	Kincheloe	Romjue	Wise
Eagle	Kinkaid	Rouse	Young, N. Dak.
Esch	Kitchin	Rubey	Young, Tex.
Evans	Knutson	Rucker	
Farr	La Follette	Russell	
Ferris	Larsen	Sabath	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—151.

Adamson	Dominick	Kahn	Rodenberg
Almon	Dooling	Kearns	Rogers
Anthony	Doremus	Kennedy, R. I.	Rowe
Bacharach	Doughton	Kettner	Rowland
Bathrick	Drukker	Kiess, Pa.	Sanders, La.
Bland	Dyer	LaGuardia	Sanders, N. Y.
Blanton	Edmonds	Langley	Saunders, Va.
Booher	Estopinal	Lazaro	Scott, Iowa
Borland	Fairchild, G. W.	Lee, Ga.	Scott, Pa.
Brodbeck	Fess	Longworth	Scully
Browne	Fitzgerald	McKenzie	Sears
Bruckner	Flynn	McKinley	Shackleford
Brumbaugh	Focht	McLaughlin, Pa.	Sisson
Caldwell	Frear	Magee	Slemp
Capstick	Gallivan	Maher	Sloan
Carew	Garner	Mann	Small
Carter, Mass.	Garrett, Tex.	Mason	Smith, C. B.
Cary	Godwin, N. C.	Meeker	Snyder
Chandler, N. Y.	Good	Miller, Wash.	Stafford
Chandler, Okla.	Goodall	Mondell	Stedman
Church	Goodwin, Ark.	Morin	Stephens, Nebr.
Clark, Fla.	Graham, Pa.	Mott	Sterling, Pa.
Clark, Pa.	Gray, N. J.	Mudd	Sullivan
Connally, Tex.	Griest	Neely	Tague
Cooper, Ohio	Griffin	Nelson	Talbot
Copley	Hamilton, N. Y.	Nicholls, S. C.	Taylor, Colo.
Costello	Hayes	Padgett	Temple
Cox	Heintz	Paige	Templeton
Crago	Hensley	Peters	Tilson
Crosser	Holland	Polk	Tinkham
Currie, Mich.	Houston	Porter	Vare
Curry, Cal.	Howard	Powers	Walker
Darrow	Hulbert	Price	Ward
Davis	Husted	Purnell	Wason
Dempsey	Hutchinson	Ragsdale	Webb
Dewalt	Johnson, Wash.	Rayburn	Wilson, Ill.
Dies	Jones, Va.	Reavis	Woodyard
Dill	Juul	Robinson	

So the motion was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. SHACKLEFORD with Mr. WILSON of Illinois.

Mr. ESTOPINAL with Mr. TEMPLE.
 Mr. GRIFFIN with Mr. RODENBERG.
 Mr. ALMON with Mr. PURNELL.
 Mr. BOOHER with Mr. MUDD.
 Mr. BORLAND with Mr. MOTT.
 Mr. BRUMBAUGH with Mr. BACHARACH.
 Mr. CHURCH with Mr. CHANDLER of New York.
 Mr. CONNALLY of Texas with Mr. COOPER of Ohio.
 Mr. CROSSER with Mr. COPLEY.
 Mr. DOMINICK with Mr. CRAGO.
 Mr. DOREMUS with Mr. DRUKKER.
 Mr. FITZGERALD with Mr. DYER.
 Mr. GARRETT of Texas with Mr. FREAR.
 Mr. HOLLAND with Mr. GOODALL.
 Mr. KETTNER with Mr. HAMILTON of New York.
 Mr. LAZARO with Mr. KENNEDY of Rhode Island.
 Mr. NICHOLLS of South Carolina with Mr. KIESS of Pennsylvania.

Mr. RAYBURN with Mr. LANGLEY.
 Mr. SEARS with Mr. LONGWORTH.
 Mr. STEDMAN with Mr. MCKINLEY.
 Mr. STERLING of Pennsylvania with Mr. MAGEE.
 The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Mississippi [Mr. HARRISON] has 10 minutes and the gentleman from Kansas [Mr. CAMPBELL] has 15.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent to submit a substitute resolution for the one at the Clerk's desk and ask unanimous consent for its consideration.

Mr. McFADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. McFADDEN. I withdraw the objection.

The SPEAKER. Is there objection?

Mr. ANDERSON. Let us hear it read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 199 (H. Rept. 231).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7731, amending section 32 of the Federal farm-loan act approved July 17, 1916; that there shall be not exceeding one hour of general debate, one-half of such time to be controlled by the gentleman from Virginia [Mr. GLASS] and one-half by the gentleman from Iowa [Mr. WOODS]. At the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. After the bill shall have been perfected in the Committee of the Whole House the same shall be reported to the House with such recommendation as the committee may make. Whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HARRISON of Mississippi. I ask the gentlemen on that side to use their time. There will be only one more speech on this side.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] has 15 minutes and the gentleman from Mississippi [Mr. HARRISON] 10.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. GILLET].

Mr. GILLET. Mr. Speaker, I was debating the old rule when this unfortunate roll call interrupted me.

I recognize that this new rule is a little better. It allows some opportunity to amend in the Committee of the Whole. In so far as that, it is fairer. But my objection to this whole proposition is not to the bill, but it is to bringing it up in these very last hours of the session, when the House is not in a state of mind and has not the time to fully debate it, and trying to rush it through.

I have suggested to the other side that we should by unanimous consent postpone it until the first day we meet again, the 3d of January, and then take it up and give it full and fair consideration. I will be very glad to have that done, and I wish the gentlemen on the other side would accept that proposition and would be willing to take it up at a time when it would receive the consideration and debate and opportunity for amendment to which its importance entitles it. [Applause.]

Mr. HARRISON of Mississippi. Mr. Speaker, I want to say, in answer to the gentleman, that the Senate has just passed this bill. There is plenty of time for discussion.

Mr. GILLET. It depends upon what you mean by "plenty of time."

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

The SPEAKER. The gentleman from Wisconsin is recognized for five minutes.

Mr. LENROOT. Mr. Speaker, I am opposed to this rule solely because it is very plain that there will be no serious consideration of the merits of this bill if this rule is adopted and this bill is considered this evening. I am not opposed to at least a portion of the bill, so that I do not speak as an enemy of the legislation.

But, Mr. Speaker, here is a bill involving \$200,000,000, and if this rule is adopted, while there are serious questions in connection with the bill and as to which amendments will be offered, there will be no serious consideration of those amendments. That is entirely plain.

Is it any wonder that the country, as each session goes by, looks with less and less favor upon the House of Representatives, when day after day this House is not deliberating, is not giving consideration to legislation upon its merits, but is making of itself mere rubber-stamps? That is absolutely true, and every one of you know it.

I represent an agricultural community. I represent a constituency that is interested in farm loans. But I am not so much afraid of my constituents as I am afraid some Members will vote for anything and everything, with no consideration, simply because they may say, "I am afraid some farmer in my district will say I am against farm loans simply because I do not at the drop of a hat, without any consideration, vote to favorably consider a \$200,000,000 proposition."

Mr. Speaker, this House will never gain the respect of the country—and it ought not to gain the respect of the country—if it is going to legislate in this manner at the hour of 5.30 o'clock in the afternoon, with a very large percentage of the membership gone and with the balance of the membership anxious to go and unwilling to give serious consideration to this measure on its merits. And, mark me, if this rule is adopted, it will be demonstrated to everybody that this House is not giving consideration to the bill on its merits, but is anxious to get rid of it at the earliest moment and in such a way as to give the least offense to their constituents.

Is that the way, is that the method in which legislation should be considered by the House of Representatives? We ought to have an opportunity to consider it. We ought to consider it on the 3d day of January, the first day we meet after the holidays. If it were considered then, it should have consideration whether or not at this time we ought to appropriate \$100,000,000 for 1919; whether or not it is an invitation to take on all these hundreds of millions of dollars of farm loans, and there will be no private investment in them at all. And what will then happen? With the liberty bonds, the necessity of carrying on this war, with the other demands upon the Treasury, this country may be up against a stone wall inside of 12 months; and if it is, this House of Representatives will be responsible for that stone wall if it is without consideration going to vote to-night not only for the \$100,000,000 that is necessary at this time but for another \$100,000,000 that may not be necessary at all, and in conditions that may not exist, with authority that ought not to exist in any officer of this Government to purchase \$100,000,000 of these farm-loan bonds. [Applause.]

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] is recognized.

Mr. CAMPBELL of Kansas. Mr. Speaker, how much time did the gentleman from Wisconsin use?

The SPEAKER. Four and a half minutes.

Mr. CAMPBELL of Kansas. I yield four minutes to the gentleman from New York [Mr. SNELL].

The SPEAKER. The gentleman from New York is recognized for four minutes.

Mr. SNELL. Mr. Speaker, I am opposed to adopting a rule which allows the consideration of as important a measure as this at so late an hour, just before adjournment. This bill is important to the people of this country for two distinct reasons. It commits this Government to the expenditure of \$200,000,000. It does so at a time when, I think, the people of the whole country do not expect us to pass measures of this kind without giving them any consideration whatever. It is also important from the standpoint that it commits this Government to a new policy. By doing this we are committed to the policy of taking over the bonds of a corporation that can not sell them; and I do not see any more reason why we should take over the bonds of this corporation because it can not sell them than there is to take over the bonds of any public utility or railroad, or any corporation in the country which is having trouble in floating its bonds at this time, and nearly every one is having this same trouble at this time. I feel that this House is entitled to more knowledge in regard to the actual workings of the land bank. From anything I can learn, it seems to me that the land bank is not in a solvent condition, and I am bas-

ing that statement on what Mr. Norris says in his letter to the Banking and Currency Committee. He says:

We feel that even the most remote possibility of a suspension of the operations of the farm-loan system should be avoided, and that the legislation suggested would avoid such possibility.

Now, any institution that demands \$100,000,000 Government aid certainly, in my judgment, is tending toward insolvency, and I believe the country at large and the Members of this House are entitled to much more definite knowledge as to the actual working of the land bank and to a longer time to consider such an important proposition as this.

It has been generally understood by the Members of the House that before the holiday recess there would be no more important legislation considered after the prohibition amendment yesterday. A great many Members of this House have gone home, and the others who are here are anxious and eager to get away, and every man in this House knows that it is absolutely impossible to give fair and careful consideration to any proposition at this time. I trust that the judgment of this House will be to put over this matter until such a time as we are able to give a bill of such importance to the House and to the whole country as House bill 7731 is the careful and thoughtful consideration that it is entitled to receive from this body. For that reason I trust you will not adopt this rule at this time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I am a friend of the Federal Land Bank System. The district which I represent is very largely an agricultural district, with something of manufacturing. We must not forget that there have been two drives for the liberty loan bonds, and it is perfectly patent that there will be another in the near future, and another before the close of the fiscal year. We must finance our allies. Now, if the drives for the liberty loan bonds have operated throughout the country as they have operated in the rural districts of Illinois, I want to state to you that, while we subscribed substantially the maximum, yet a great many patriotic country banks, sure of the solvency of the Government, of which I, as well as they, have no doubt, realizing the necessity from the patriotic standpoint of taking these bonds, made subscriptions larger than they are able to carry and care for their depositors and for those who desire to make loans of them, unless they can dispose of these bonds. What is true of Illinois is, I think, true throughout the Middle West, and I presume it is true of the South. Certainly it is true of the North. Of course, they can borrow on short time from the Federal reserve banks. But after all that is only temporary relief. They hope to dispose of these bonds, and no doubt are disposing of them to some extent to the people who have money to invest.

Now, I believe that this Federal Land Bank System is solvent. I believe that if they are willing to pay a reasonable interest on the farm loans they can get their money at less than the rate of interest that prevails, which is now 5, 6, and 7 per cent for commercial loans. It is well enough for us to take notice of this. But I believe that with proper advertising and with proper effort these bonds can be placed. I think it is wise to consider this matter for more than an hour. Many of our people have gone; and I believe this should go over until after the holidays, and that it should then be considered under a rule not providing for an hour's consideration by the House but for fair consideration, and then we can, without harm to anybody, in my judgment, and without injury to the credit of the land bank, determine what it is wise to do. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. If I may be granted a half a minute more—

Mr. CAMPBELL of Kansas. I yield to the gentleman half a minute.

Mr. CANNON. As to the land banks, I do not think we can afford to go to the country under all conditions, subject to the tax that may be made and will be made, and say that this thing was rushed through with one hour of debate. It is not just to the Land Bank System, it is not just to the country, and it is not just to the House of Representatives. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point that there is no quorum present.

Mr. GLASS. I make the point of order, Mr. Speaker, that that is dilatory.

The SPEAKER. The point of order is overruled. The gentleman from Pennsylvania makes the point of order that no quorum is present, and the Chair will count. [After counting.] One hundred and sixty-two Members present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House. The motion was agreed to.

The Doorkeeper locked the doors, and the Sergeant at Arms was instructed to notify the absentees. The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Doughton	Kennedy, R. I.	Rogers
Almon	Dunn	Kettner	Rose
Anthony	Dyer	Kiess, Pa.	Rowland
Bacharach	Edmonds	LaGuardia	Sanders, Ia.
Bathrick	Estopinal	Langley	Sanders, N. Y.
Blackmon	Fairchild, G. W.	Lee, Ga.	Sanford
Bland	Fess	Linthicum	Saunders, Va.
Blanton	Flood	Longworth	Scott, Iowa
Booher	Flynn	McClintic	Scott, Pa.
Borland	Frear	McCormick	Scully
Britten	Gallivan	McKenzie	Sears
Browne	Gard	McKinley	Shackelford
Browning	Garland	McLaughlin, Pa.	Sinnott
Bruckner	Garner	Magee	Slemp
Caldwell	Garrett, Tex.	Maher	Sloan
Capstick	Godwin, N. C.	Mann	Small
Carey	Good	Mason	Snyder
Carter, Mass.	Goodall	Meeker	Stafford
Cary	Goodwin, Ark.	Miller, Minn.	Stedman
Chandler, N. Y.	Graham, Pa.	Miller, Wash.	Steele
Chandler, Okla.	Gray, N. J.	Mondell	Stephens, Nebr.
Church	Grist	Morin	Sterling, Pa.
Clark, Fla.	Griffin	Mott	Sullivan
Clark, Pa.	Hamilton, N. Y.	Mudd	Tague
Claypool	Hayes	Neely	Talbott
Cooper, Ohio	Heintz	Nelson	Taylor, Colo.
Copley	Helm	Nichols, Mich.	Temple
Costello	Heiverson	Padgett	Templeton
Cox	Hensley	Paige	Tilson
Crago	Holland	Parker, N. Y.	Tinkham
Crosser	Houston	Peters	Vare
Currie, Mich.	Howard	Polk	Walker
Curry, Cal.	Hulbert	Porter	Ward
Darrow	Husted	Powers	Wason
Davis	Hutchinson	Pratt	Watson, Va.
Dempsey	Johnson, S. Dak.	Purnell	Webb
Dent	Johnson, Wash.	Ragsdale	Wilson, Ill.
Dewalt	Jones, Va.	Ramsey	Wilson, Tex.
Dies	Juul	Rayburn	Winslow
Dill	Kahn	Reavis	Wise
Dooling	Kearns	Riordan	Wood, Ind.
Doremus	Kelley, Mich.	Robinson	Zihman

The SPEAKER. On this call 264 Members have answered to their names, a quorum.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. HARRISON of Mississippi. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. GLASS].

The SPEAKER. The gentleman from Virginia is recognized for 10 minutes.

Mr. GLASS. Mr. Speaker, I am just apprized of the fact that the Senate has passed this bill, with certain amendments, and has adjourned. That being so, it is impossible for the bill to become a law until after the holiday recess, and in my view it would be futile to keep the House here debating a matter that can not be concluded this evening. In my view, while the criticism of haste—I would call it expedition—is measurably justified, not one whit of the blame attaches to the House Committee on Banking and Currency. That committee considered this matter the instant it was brought to its attention; and, with its customary intuitive wisdom, as well as dispatch, immediately disposed of it by reporting it favorably to the House. Furthermore, the speed employed has not been harmful in the least. The whole subject can be understood in five minutes as easily as it can be understood in five years; and, as I have said to friends on that side, if they please to appropriate to themselves a lack of comprehension that I am unwilling to impute, that is their affair. At all events, we can not conclude the matter this evening, and I have risen simply to ask unanimous consent that the bill shall go over and have privilege and precedence as the first matter to be disposed of by the House when the Congress reconvenes on January 3 next.

Mr. CANNON. As transportation may be a little uncertain, and I doubt if all of the Members who ought to be here will be here, will not the gentleman agree to substitute the 4th for the 3d? I shall not object, of course, but I simply make that suggestion.

Mr. GLASS. I would be willing to do almost anything the gentleman from Illinois could ask, but an informal agreement already has been made for the 3d.

Mr. CANNON. Very well.

The SPEAKER. Does the gentleman from Virginia mean that the House shall on the 3d of January resume the consideration of this bill right where it is now?

Mr. GLASS. No.

The SPEAKER. That it shall start in anew?

Mr. GLASS. No. Consider the bill to its final passage under such agreement as shall be made as to the division of time.

The SPEAKER. The gentleman from Virginia asks unanimous consent that on the 3d day of January next this bill shall be the order of business after the reading of the Journal and the disposition of business on the Speaker's table, not to interfere with privileged matters. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I desire to ask the gentleman if that request contemplates the yielding of some time—

Mr. GLASS. I have already said such time as may enable the gentleman from Pennsylvania to understand this simple problem.

Mr. MOORE of Pennsylvania. That is not satisfactory to the "gentleman from Pennsylvania." The "gentleman from Pennsylvania" has seen enough to know that there will be some objection to this bill, which the gentleman from Virginia says is so clear to himself and the members of his committee.

Mr. GLASS. Undoubtedly there will be some objection.

The SPEAKER. Is there objection?

Mr. McFADDEN. Mr. Speaker, I would like to say to the chairman of the Committee on Banking and Currency that because of the lack of information upon this subject I have introduced to-day a resolution calling on the Secretary of the Treasury to furnish information regarding the Federal farm-loan system. If the gentleman can expedite the matter with the Secretary of the Treasury and see that we have that information by January 3, I think it will help very materially the discussion of this subject.

Mr. GLASS. I do not agree that it will help one bit, but I have no objection to the gentleman getting the information.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to know what understanding has been made in regard to the division of the time.

Mr. LENROOT. It will be under the rules of the House.

Mr. GILLET. Mr. Speaker, I have had a personal agreement which is entirely satisfactory to me, and which I think will be satisfactory to this side of the House.

Mr. MOORE of Pennsylvania. May I ask if the gentleman from Pennsylvania [Mr. McFADDEN] has been consulted?

Mr. GILLET. Yes.

The SPEAKER. Is there objection?

Mr. McFADDEN. Mr. Speaker, reserving the right to object, in answer to the question of the gentleman from Pennsylvania as to the division of time, I might say this, that so far as our side is concerned we feel that the control of the time should be in the hands of some one who is opposed to the proposition. If that is arranged satisfactorily, I have no objection.

Mr. GLASS. I have no objection to that. The senior minority Member was mentioned in the resolution from the Committee on Rules, but he very promptly came to the chairman of the committee and suggested that the control of the time upon that side should be by some one who is opposed to the bill, and that will be arranged.

Mr. McFADDEN. As long as that is understood I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

Mr. SHERLEY. Will the gentleman withhold that for a moment?

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the bill of the following title; in which the concurrence of the House of Representatives was requested:

An act (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

EXTENSION OF REMARKS.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the prohibition resolution.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

REPORT OF PUBLIC BUILDINGS COMMISSION.

Mr. SHERLEY. Mr. Speaker, I desire to present a report of the Public Buildings Commission. It was instructed to report prior to January 1, 1918, and I ask unanimous consent, it being short, that it may be printed in the Record.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to print the report in the Record. Is there objection? [After a pause.] The Chair hears none.

The report is as follows:

To the Congress of the United States:

The undersigned Public Buildings Commission, appointed by the provisions of the sundry civil appropriation act approved on the 1st day of July, 1916, respectfully submit the following report:

We give below the provision of the law creating the commission:

"Public Buildings Commission: With a view to ultimately providing permanent quarters for all the governmental activities in the District of Columbia in buildings owned by the Government, a commission is created to be composed of the chairman of the Committee on Appropriations of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Appropriations of the House of Representatives and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the House of Representatives and two other members of said committee, to be appointed by said chairman, all of whom shall serve thereon only so long as they are Members of Congress, and the Superintendent of the Capitol Building and Grounds, the officer in charge of public buildings and grounds, and the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office.

"The said commission shall elect one of its members as chairman of the commission and is authorized to employ such expert clerical or other services as it may deem necessary, and shall avail itself of the advice of the Commission of Fine Arts.

"The said commission shall investigate and ascertain what public buildings are needed in the District of Columbia to provide suitable and adequate accommodations, with allowances for future expansion, for all of the offices, establishments, and public services of the Government in the District of Columbia, the proper location of such buildings, the probable cost thereof, and the probable cost of such new sites as they may deem it necessary for the Government to acquire.

"Any vacancies in said commission shall be filled in the same manner as the original appointments were made.

"For expenses of said commission, \$10,000, to remain available until expended and to be paid out on vouchers signed by the chairman of said commission.

"Said commission shall make final report to Congress not later than January 1, 1918."

The commission organized by electing Senator THOMAS S. MARTIN as chairman. As soon as the commission was organized it appointed the Superintendent of the Capitol Building and Grounds, the officer in charge of Public Buildings and Grounds, and the Acting Supervising Architect of the Treasury, all of whom were members of the commission, a subcommittee to study the question of providing permanent quarters for all Government activities in the District of Columbia. We submit herewith the report, including appendix and maps, of that subcommittee. With the many other duties devolved on the members of this commission we have found it impossible to give any considerable consideration to the report of this subcommittee or to the many difficult problems involved.

The subcommittee under the supervision of the general commission followed a plan of operation and investigation, including the following:

I. PLAN OF OPERATIONS.

- A. A survey of buildings now occupied.
 1. Owned by the Government, including details of space, numbers of occupants, and cost.
 2. Rented by the Government, including details of space, numbers of occupants, and cost.
- B. An estimate of future requirements for buildings for such period as the commission may designate.
 1. Those now available.
 2. New buildings needed.
 3. Provision for increase of existing establishments.
 4. Provision for new establishments.
- C. A survey of building sites.
 1. Now owned by the Government, including those now occupied and those available for future use.
 2. Required for new buildings, showing locations and cost of acquisition.
- D. Monthly reports to the members of the commission.
- E. Final report of the commission.

We believe that the report of this subcommittee contains very valuable information and will serve as the foundation for the final disposition of the questions submitted to your commission. The commission regrets exceedingly that they have been unable to digest the problems which are presented and that they can do no more at present than submit the report of the subcommittee for such disposition as may seem proper to the Congress. We respectfully suggest that it be printed so as to be easily accessible to all the Members of the two Houses of Congress. The inflated conditions due to the war emergencies make the present time very inopportune for dealing with many of the questions involved. It seems to the commission that the final disposition of the matter may well be permitted to remain until normal conditions are again reached.

Your commission appends to this report an itemized account of its expenditures, showing that of the \$10,000 appropriated approximately \$4,603.53 have been expended. A very few items of expense will have to be added.

Respectfully submitted.

THOMAS S. MARTIN, Chairman.

Itemized list of expenditures by the Public Buildings Commission.

Amount of appropriation	\$10,000.00
Personal services of computers, draftsmen, and clerks	\$2,928.59
Photographs, printing, and blue printing	803.97
Office supplies, stationery, etc.	860.97
	4,603.53
Balance in hand	5,396.47

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy.

EXTENSION OF REMARKS.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the prohibition question.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I object.

Mr. KITCHIN. I am willing for all to have it; let all have it. Mr. Speaker, I ask unanimous consent that all gentlemen who spoke on the prohibition constitutional amendment be allowed to extend and revise their remarks.

Mr. WALSH. Mr. Speaker, reserving the right to object, this morning I proffered that request, but coupled with it the understanding that such extensions only include the remarks of the gentlemen and not telegrams, letters and editorials and articles?

Mr. KITCHIN. Was it granted?

Mr. WALSH. It was not granted. If the gentleman will proffer that request—

Mr. KITCHIN. I will do that.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that all gentlemen who spoke on the prohibition amendment shall have the right to extend their remarks in the Record, barring telegrams, letters, editorials, newspaper articles, and so forth.

Mr. ALEXANDER. Mr. Speaker, reserving the right to object, I do not know any reason why those gentlemen who had time to speak should be given that privilege when those who could not get the time were denied it.

Mr. FIELDS. Mr. Speaker, I object to a monopoly of the CONGRESSIONAL RECORD.

The SPEAKER. Does the gentleman object to this request?

Mr. FIELDS. I do, unless all gentlemen have that right.

Mr. KITCHIN. I will modify the request by asking that all gentlemen be given the right to extend their remarks in the Record, barring telegrams, letters, and editorials.

Mr. SHERLEY. Mr. Speaker, I object.

The SPEAKER. The gentleman objects.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that all gentlemen—

The SPEAKER. But the gentleman from Kentucky [Mr. SHERLEY] objected.

Mr. SHERLEY. Mr. Speaker, I have no objection to gentlemen who spoke extending their remarks in the Record, but I object to gentlemen extending their remarks who did not speak.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

ADJOURNMENT.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p. m.) the House, under the concurrent resolution previously adopted, adjourned to meet on Thursday, January 3, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a paragraph of legislation authorizing the accounting officers of the Treasury Department to allow and credit in the accounts of Maj. (now Col.) Henry L. Newbold, the sum of \$2,137.61, being the amount disallowed and charged against him on the books of the Treasury Department (H. Doc. No. 627); to the Committee on Claims and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate required for general expenses of the Forest Service for the fiscal year 1918 (H. Doc. No. 628); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for the fiscal year 1919, for necessary improvements at the Arlington National Cemetery (H. Doc. No. 629); to the Committee on Appropriations and ordered to be printed.

4. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Frank Brott, Edward Brott, George Brott, and Adaline B. Hamilton, heirs of James H. Brott, deceased, *v. the United States* (H. Doc. No. 630); to the Committee on War Claims and ordered to be printed.

5. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles

J. Olson *v. the United States* (H. Doc. No. 631); to the Committee on War Claims and ordered to be printed.

6. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Eleanor R. Mintie, widow of Fergus L. Mintie, deceased, *v. The United States* (H. Doc. No. 632); to the Committee on War Claims and ordered to be printed.

7. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lawrence Moore *v. The United States* (H. Doc. No. 633); to the Committee on War Claims and ordered to be printed.

8. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Sarah J. Marsh, widow (remarried) of Martin B. Miller, deceased, *v. The United States* (H. Doc. No. 634); to the Committee on War Claims and ordered to be printed.

9. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John A. Spielman *v. The United States* (H. Doc. No. 635); to the Committee on War Claims and ordered to be printed.

10. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Birney E. Shaw *v. The United States* (H. Doc. No. 636); to the Committee on War Claims and ordered to be printed.

11. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Elizabeth W. Broadhead, widow (remarried) of Richard McCowick, deceased, *v. The United States* (H. Doc. No. 637); to the Committee on War Claims and ordered to be printed.

12. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Juliette Harrow, widow of William Harrow, deceased, *v. The United States* (H. Doc. No. 638); to the Committee on War Claims and ordered to be printed.

13. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lucy B. Stahl, daughter of James A. Bell, deceased, *v. The United States* (H. Doc. No. 639); to the Committee on War Claims and ordered to be printed.

14. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Eugene E. Neff, son of Edmund W. S. Neff, deceased, *v. The United States* (H. Doc. No. 640); to the Committee on War Claims and ordered to be printed.

15. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Louisa Boles, daughter of Charles Heintz, deceased, *v. The United States* (H. Doc. No. 641); to the Committee on War Claims and ordered to be printed.

16. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Warner U. Grider, administrator of Benjamin C. Grider, deceased, *v. The United States* (H. Doc. No. 642); to the Committee on War Claims and ordered to be printed.

17. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John W. Clemans and Cora Foote, children of Sylvester W. Clemans, deceased, *v. The United States* (H. Doc. No. 643); to the Committee on War Claims and ordered to be printed.

18. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles M. Bingham *v. The United States* (H. Doc. No. 644); to the Committee on War Claims and ordered to be printed.

19. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary E. Conine, daughter of Milton Valentine, deceased, *v. The United States* (H. Doc. No. 645); to the Committee on War Claims and ordered to be printed.

20. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Benjamin F. Kemp *v. The United States* (H. Doc. No. 646); to the Committee on War Claims and ordered to be printed.

21. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Morton T. Jones *v. The United States* (H. Doc. No. 647); to the Committee on War Claims and ordered to be printed.

22. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary A. Goddard, widow of William C. Goddard, deceased, *v. The United States* (H. Doc. No. 648); to the Committee on War Claims and ordered to be printed.

23. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Harri-

son Dwire *v.* The United States (H. Doc. No. 649); to the Committee on War Claims and ordered to be printed.

24. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Thomas Martin *v.* The United States (H. Doc. No. 650); to the Committee on War Claims and ordered to be printed.

25. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Abraham Mitcham *v.* The United States (H. Doc. No. 651); to the Committee on War Claims and ordered to be printed.

26. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of George D. Scott, son and sole heir of Oliver H. P. Scott, deceased, *v.* The United States (H. Doc. No. 652); to the Committee on War Claims and ordered to be printed.

27. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Chloe Hinchcliff, daughter of Liam N. Mitchell, deceased, *v.* The United States (H. Doc. No. 653); to the Committee on War Claims and ordered to be printed.

28. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles L. Knapp *v.* The United States (H. Doc. No. 654); to the Committee on War Claims and ordered to be printed.

29. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Eva A. Ingersoll, widow of Robert G. Ingersoll, deceased, *v.* The United States (H. Doc. No. 655); to the Committee on War Claims and ordered to be printed.

30. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Sarah C. Fisk, widow of Dennison Fisk, deceased, *v.* The United States (H. Doc. No. 656); to the Committee on War Claims and ordered to be printed.

31. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Walter S. Dunn, guardian of Caroline Dunn, a minor, sole heir of John T. Croxton, deceased, *v.* The United States (H. Doc. No. 657); to the Committee on War Claims and ordered to be printed.

32. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary A. Clarkson, widow of Isaac L. Clarkson, deceased, *v.* The United States (H. Doc. No. 658); to the Committee on War Claims and ordered to be printed.

33. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lizzie J. Clark, widow of Willard Clark, deceased, *v.* The United States (H. Doc. No. 659); to the Committee on War Claims and ordered to be printed.

34. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Ellen B. Harding, daughter of William Brisbane, deceased, *v.* The United States (H. Doc. No. 660); to the Committee on War Claims and ordered to be printed.

35. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Carrie Adolph and Bella Adolph Epstine, daughters and sole heirs of Philip Adolph, deceased, *v.* The United States (H. Doc. No. 661); to the Committee on War Claims and ordered to be printed.

36. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lydia F. Taylor, daughter of John G. Wilson, deceased, *v.* The United States (H. Doc. No. 662); to the Committee on War Claims and ordered to be printed.

37. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Maude Taylor, one of the heirs of John C. Taylor, deceased, *v.* The United States (H. Doc. No. 663); to the Committee on War Claims and ordered to be printed.

38. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lilly B. Hancock, widow of William A. Hancock, *v.* The United States (H. Doc. No. 664); to the Committee on War Claims and ordered to be printed.

39. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of the Navy submitting supplemental estimates of appropriations for the Navy Department and Naval Establishment for the fiscal year 1918 (H. Doc. No. 665); to the Committee on Appropriations and ordered to be printed.

40. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for fortifications in

insular possessions for the fiscal year 1918 (H. Doc. No. 666); to the Committee on Appropriations and ordered to be printed.

41. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for printing and binding for the War Department for the fiscal year 1918 (H. Doc. No. 667); to the Committee on Appropriations and ordered to be printed.

42. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate for contingent expenses of the War Department for the fiscal year 1918 (H. Doc. No. 668); to the Committee on Appropriations and ordered to be printed.

43. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a proposed clause of legislation authorizing the payment to Henry C. Chappell, of certain money paid by him for advertisements (H. Doc. No. 669); to the Committee on Appropriations and ordered to be printed.

44. A letter from the Secretary of the Treasury, transmitting deficiency estimates of appropriations required by the United States Public Health Service for the fiscal year ending June 30, 1918 (H. Doc. No. 670); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. POUL, from the Committee on Rules, to which was referred the resolution (H. Res. 197) providing for the consideration of House bill 7731, reported the same with substitute amendment (H. Res. 199), accompanied by a report (No. 231), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ESCH: A bill (H. R. 7912) to amend the Federal insurance-tax law; to the Committee on Ways and Means.

By Mr. SIMS: A bill (H. R. 7913) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 7914) to provide a commission to secure plans and designs for a monument or memorial to the memory of the negro soldiers and sailors who fought in the wars of our country; to the Committee on the Library.

By Mr. LANGLEY: A bill (H. R. 7915) to increase the rates of pension for certain soldiers, sailors, and marines of the Civil War and the War with Mexico; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 7916) prohibiting misleading advertising; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER of Oklahoma (by request): A bill (H. R. 7917) to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, and conferring authority on the courts of said State in reference thereto, and for other purposes; to the Committee on Indian Affairs.

By Mr. MCCLINTIC: A bill (H. R. 7918) providing that soldiers, sailors, and marines may send letters through the mails free of postage under rules and regulations prescribed by the Postmaster General; to the Committee on the Post Office and Post Roads.

By Mr. HULBERT: A bill (H. R. 7919) making an appropriation for making demonstrative test of a new patented form of railroad construction and equipment; to the Committee on Appropriations.

By Mr. SWIFT: A bill (H. R. 7920) to amend an act entitled "An act to increase the revenue, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. HILLIARD: A bill (H. R. 7921) for the retirement of public-school teachers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WATKINS: A bill (H. R. 7922) to appropriate \$10,000 for the improvement of navigation on Dorcheat Bayou, in Louisiana; to the Committee on River and Harbors.

By Mr. LENROOT: A bill (H. R. 7923) providing for the creation of the United States Equipment Corporation to acquire railroad equipment and lease the same to the railroads of the

United States, and providing capital to carry on its business; to the Committee on Interstate and Foreign Commerce.

By Mr. GARLAND: A bill (H. R. 7924) granting pensions to soldiers confined in so-called Confederate prisons; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 7925) to amend section 35 of the Criminal Code, and for other purposes; to the Committee on the Judiciary.

By Mr. LARSEN: A bill (H. R. 7926) providing for the purchase of a site and the erection of a public building thereon at Hawkinsville, Pulaski County, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7927) providing for the purchase of a site and the erection of a public building thereon at Fort Valley, Houston County, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. HARDY: Resolution (H. Res. 202) authorizing the Committee on Expenditures in the Navy Department to send for persons and papers; to the Committee on Rules.

By Mr. EDMONDS: Resolution (H. Res. 204) to inquire into the operations of the Shipping Board; to the Committee on Rules.

By Miss RANKIN: Resolution (H. Res. 205) proposing an inquiry into the health and hospital records of Camp Mills, Hempstead, Long Island; to the Committee on Rules.

By Mr. McFADDEN: Resolution (H. Res. 206) calling on the Secretary of the Treasury for information concerning the organization and operation of agencies authorized by the Federal farm-loan act; to the Committee on Banking and Currency.

By Mr. HAYDEN: Joint resolution (H. J. Res. 196) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. TAYLOR of Colorado: Joint resolution (H. J. Res. 197) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. KEATING: Joint resolution (H. J. Res. 198) extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Miss RANKIN: Joint resolution (H. J. Res. 199) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. RAKER: Joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. MONDELL: Joint resolution (H. J. Res. 201) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. EMERSON: Joint resolution (H. J. Res. 202) to appropriate \$10,000,000 to build freight cars to handle foods and fuels; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 7928) granting an increase of pension to Mary Cortin Kinnevan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7929) granting an increase of pension to Rebecca Van Buskirk McHesson; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 7930) granting an increase of pension to William Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7931) granting an increase of pension to Jacob Hamon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7932) granting an increase of pension to Albert Varnell; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 7933) granting a pension to George W. Craig; to the Committee on Pensions.

Also, a bill (H. R. 7934) to correct the military record of John Banks; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 7935) granting a pension to James H. Swallow; to the Committee on Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 7936) for the relief of Ellen Driscoll; to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 7937) granting an increase of pension to Levi Lightfoot; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 7938) granting a pension to Phebe A. Shisler; to the Committee on Invalid Pensions.

By Mr. FLYNN: A bill (H. R. 7939) for the relief of Elizabeth Peck, widow of James H. Peck; to the Committee on Claims.

By Mr. FULLER of Illinois: A bill (H. R. 7940) granting an increase of pension to Thompson Martin; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 7941) granting an increase of pension to William D. McCormick; to the Committee on Invalid Pensions.

By Mr. GARRETT of Tennessee: A bill (H. R. 7942) granting an increase of pension to Margaret A. McAdoo; to the Committee on Pensions.

By Mr. GRAY of New Jersey: A bill (H. R. 7943) to correct the military record of Edward A. Shave; to the Committee on Military Affairs.

By Mr. IRELAND: A bill (H. R. 7944) to correct the military record of John Wesley Conkling, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 7945) to correct the military record of George A. Culver, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 7946) to correct the military record of John Kircher; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 7947) granting an increase of pension to Theresa H. Paulhamus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7948) granting an increase of pension to Joseph Smith; to the Committee on Invalid Pensions.

By Mr. JUUL: A bill (H. R. 7949) granting an increase of pension to Eliza Fosha; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7950) granting a pension to Kate Schultz; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 7951) granting an increase of pension to Jacob Ripley, alias James Rogers; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 7952) granting an increase of pension to William W. Pope; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7953) granting an increase of pension to Willis Akles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7954) granting an increase of pension to Orville H. Mills; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 7955) granting an increase of pension to Fannie M. O'Linn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7956) granting an increase of pension to Robert Leitch; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 7957) granting a pension to Emma Crewitt; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 7958) granting an increase of pension to William Harrier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7959) granting a pension to Ellen Murphy; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 7960) granting an increase of pension to James Darrah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7961) granting an increase of pension to Jordan C. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7962) granting an increase of pension to James W. Duty; to the Committee on Pensions.

By Mr. PLATT: A bill (H. R. 7963) granting a pension to Ellen Mulligan; to the Committee on Pensions.

Also, a bill (H. R. 7964) granting a pension to Emma A. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7965) granting an increase of pension to Abraham Rapelye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7966) granting an increase of pension to Grace A. Negley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7967) granting an increase of pension to Henry Worden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7968) granting an increase of pension to George W. Fitzgerald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7969) granting an increase of pension to John Cornell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7970) for the relief of John Hill; to the Committee on Military Affairs.

Also, a bill (H. R. 7971) for the relief of Peter Myer; to the Committee on Military Affairs.

By Mr. PRATT: A bill (H. R. 7972) granting an increase of pension to George W. Littleton; to the Committee on Invalid Pensions.

By Mr. ROBBINS: A bill (H. R. 7973) granting an increase of pension to Jacob H. Murdock; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 7974) granting an increase of pension to Daniel Berkebile; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7975) granting an increase of pension to Charles F. Sparger; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 7976) granting a pension to Kate Frances Getts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7977) granting an increase of pension to James K. Nichols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7978) for the relief of Jacob Mull; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 7979) granting a pension to Annie Sangamo; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 7980) granting a pension to Angeline E. Holt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7981) granting a pension to Emma Cornella Troy; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 7982) for the relief of Samuel Reigle; to the Committee on War Claims.

By Mr. TOWNER: A bill (H. R. 7983) granting an increase of pension to John Fasnacht; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 7984) for the relief of H. B. Rogers; to the Committee on the Public Lands.

Also, a bill (H. R. 7985) for the relief of J. Ph. Binzel Co.; to the Committee on Claims.

By Mr. WALSH: A bill (H. R. 7986) granting an increase of pension to Carrie C. Washburn; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 7987) granting a pension to Clarence P. McCloud; to the Committee on Pensions.

Also, a bill (H. R. 7988) granting a pension to Elizabeth Moneravie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7989) granting an increase of pension to Hannah J. Estill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7990) granting an increase of pension to William J. Wyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7991) removing the charge of desertion against John Kreiser; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 7992) granting an increase of pension to Jane Emperor; to the Committee on Pensions.

Also, a bill (H. R. 7993) granting an increase of pension to Jacob Jewell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolutions of a mass meeting of Bohemian (Czech) and Slovak citizens of Baltimore, Md., held December 16, 1917, avowing their loyalty and thanking the President for his consideration in his recent proclamation; to the Committee on Foreign Affairs.

Also (by request), resolution of the Independence League, Bronx County, New York, urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolution of the American Society of Refrigerating Engineers, assuring the President and Congress of their earnest and loyal support of all measures for the welfare of the country and the successful prosecution of the war, and offering the services of its members in any capacity; to the Committee on Military Affairs.

Also (by request), petitions of sundry citizens of Iowa, Ohio, Oregon, Pennsylvania, Texas, and Wyoming, favoring the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. DALE of New York: Resolution of the Tenants' Union of New York (Inc.), urging Congress to monetize railroads by the same process by which gold and silver are monetized, enabling the Nation to purchase public utilities with the cash thus provided, thus relieving the monetary famine and obtaining the needed transportation; to the Committee on Ways and Means.

By Mr. ELSTON: Memorial showing inequality in matter of pay for mates in the United States Navy and suggesting legislation to remedy same; to the Committee on Naval Affairs.

By Mr. FULLER of Illinois: Memorial of the National Association of Letter Carriers for readjustments of salaries; to the Committee on the Post Office and Post Roads.

Also, petition of George Barr McCutcheon, opposing the zone system and increased rates for second-class postage; to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of the United States of America, relative to the housing problem; to the Committee on Public Buildings and Grounds.

Also, petition of Henry A. Wise Wood opposing the proposed suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of the National Council of American Cotton Manufacturers relative to the foreign trade; to the Committee on Foreign Affairs.

By Mr. GARRETT of Tennessee: Papers to accompany bill granting an increase in pension to Margaret A. McAdoo; to the Committee on Pensions.

By Mr. JOHNSON of Washington: Resolutions of C. S. Hamilton Post, No. 113, Grand Army of the Republic, Kelso, Wash., favoring increased pensions for Civil War veterans; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Petitions of Adam Sutcliffe, Henry G. Thresher, and G. Bion Allen, of Pawtucket, and William Boyd, of Valley Falls, all in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

By Mr. McCLINTIC: Memorial of the Oklahoma Council of Defense, urging the Government frank for mail of State and local councils of defense; to the Committee on the Post Office and Post Roads.

By Mr. McKEOWN: Petition of J. P. Ford and others, favoring law circumscribing activities of disloyal people; to the Committee on the Judiciary.

By Mr. PETERS: Memorial of Mary E. McKeen and others, of Brunswick, Me., against passage of woman-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. RAKER: Petition of R. A. Witterman, Buffalo, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of Nevada City Chamber of Commerce, Nevada City, Cal., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of W. B. Celio and five other citizens of Nevada City, Cal.; Phil A. Grau, Chicago, Ill.; and William H. Brady, New York City, protesting against national prohibition; also petitions of L. E. Parke and W. S. Warfield, of Sioux City, Iowa, indorsing national prohibition; to the Committee on the Judiciary.

Also, petitions of Thomas F. Flattery, secretary National Federation of Postal Employees, Washington, D. C., and Frank Morrison, secretary American Federation of Labor, indorsing an increase of salaries for postal employees; to the Committee on the Post Offices and Post Roads.

Also, petition of E. T. Newell, New York, N. Y., in favor of a bill providing for valor medals; to the Committee on Military Affairs.

Also, resolution adopted by California White and Sugar Pine Manufacturers' Association, San Francisco, Cal., urging appropriation of \$10,000 for study by Weather Bureau of weather conditions as related to forest fires; to the Committee on Appropriations.

Also, petition of H. L. Litchfield, of Waterloo, Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of C. R. Hodgkin, secretary California Corrugated Culvert Co., against any further advance in letter postage; to the Committee on the Post Office and Post Roads.

By Miss RANKIN: Petition of the Commercial Club of Great Falls, Mont., for a readjustment in salaries of city letter carriers sufficient to meet the increase in cost of living commodities since salary legislation of 1907; to the Committee on the Post Office and Post Roads.

Also, memorial of Commercial Club of Great Falls, Mont., expressing gratitude and appreciation of the work of the President, his Cabinet, the Congress, the Council of National Defense, and other organizations for the upholding and defending of the Republic; to the Committee on Military Affairs.

By Mr. SABATH: Resolution of the Chamber of Commerce of the United States of America, urging that Congress and the country should consider the housing of employees as a war emergency and that immediate action be taken to solve this problem; to the Committee on Military Affairs.

Also, resolution of the American Federation of Labor, urging an increase in the salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. SCHALL: Petitions of sundry citizens of Minnesota, in favor of woman suffrage; to the Committee on Woman Suffrage.